

# **EXHIBIT 1**

Westlaw

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1-877-DOC-RETR (1-877-362-7387) (Additional Charges Apply).

For Opinion See: 420 F.Supp.2d 2282006 WL 12954092006 WL 15202272007 WL 4737262007 WL 1837133

**This docket is current through 12/07/2007**

**For an updated version of this docket, click UPDATE**

**Court:** U.S. DISTRICT COURT UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK (FOLEY SQUARE)

**Case Title:** KINGSWAY FINANCIAL v. PRICEWATERHOUSE, ET AL

**Case:** 1:03-CV-05560

**Judge:** JUDGE RICHARD M. BERMAN

**Date Filed:** 07/25/2003

**CASE INFORMATION**

**Case Number:** 1:03CV05560

**Referred To:** MAGISTRATE JUDGE HENRY B. PITMAN

**Jury Demand:** PLAINTIFF

**Nature of Suit:** OTHER STATUTES: SECURITIES/COMMODITIES/EXCHANGE (850)

**Key Nature of Suit:** OTHER FEDERAL STATUTES;  
SECURITIES/COMMODITIES/EXCHANGES (340.85)

**Lead Docket:** 1:07-CV-06498

**Jurisdiction:** FEDERAL QUESTION

**Cause:** 15 USC 78M(A) SECURITIES EXCHANGE ACT

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**PARTICIPANT INFORMATION**

**Plaintiff:** KINGSWAY FINANCIAL SERVICES, INC.  
**Attorney(s):** CATHY ANN FLEMING  
**Email Address:** CAFLEMING@NIXONPEABODY.COM  
**Firm Name:** EDWARDS ANGELL PALMER & DODGE, LLP (NYC)  
**Attorney Address:** 750 LEXINGTON AVENUE  
NEW YORK, NY 10022  
**Attorney Phone:** 212-308-4411  
**Attorney Fax:** 212-308-4844

**Attorney(s):** HAROLD JEROME RUVOLDT, JR  
**Email Address:** HRUVOLDT@NIXONPEABODY.COM  
**Firm Name:** EDWARDS ANGELL PALMER & DODGE, LLP (NYC)  
**Attorney Address:** 750 LEXINGTON AVENUE  
NEW YORK, NY 10022  
**Attorney Phone:** 212-940-3770  
**Attorney Fax:** 866-622-1439

**Attorney(s):** SAVITHA KEESARI MASSON  
**Firm Name:** EDWARDS & ANGELL, L.L.P.  
**Attorney Address:** 750 LEXINGTON AVENUE  
NEW YORK, NY 10022-1200  
**Attorney Phone:** 212-308-4411

**Attorney(s):** CHRISTINE M. RILEY  
**Firm Name:** NIXON PEABODY, L.L.P.  
**Attorney Address:** 437 MADISON AVENUE.  
NEW YORK, NY 10017  
**Attorney Phone:** 212-940-3785

**Defendant:** PRICEWATERHOUSE-COOPERS, LLP  
**Attorney(s):** WILLIAM R. MAGUIRE  
**Email Address:** MAGUIRE@HUGHESHUBBARD.COM  
**Firm Name:** HUGHES HUBBARD & REED LLP

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**Attorney Address:** ONE BATTERY PARK PLAZA  
NEW YORK, NY 10004  
**Attorney Phone:** 212-837-6000  
**Attorney Fax:** 212-299-6879

**Defendant:** MILLER, HERBERS, LEHMAN & ASSOCIATES, INC.  
**Party Terminated:** TERMINATED: 04/28/2005

**Defendant:** MARTIN L. SOLOMON  
**Attorney(s):** ERIC J. MARLER  
**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** KAREN A. REARDON  
**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** LEWIS J. LIMAN  
**Email Address:** LLIMAN@CGSH.COM  
**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** MITCHELL A. LOWENTHAL  
**Email Address:** MAOFILING@CGSH.COM  
**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006

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**Attorney Phone:** 212-225-2000

**Attorney Fax:** 212-225-3499

**Attorney(s):** SCOTT O. REED

**Firm Name:** REARDON, GOLINKIN AND REED

**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439

**Attorney Phone:** 312-855-3700

**Attorney Fax:** 312-855-1089

**Attorney(s):** SCOTT G. GOLINKIN

**Firm Name:** REARDON GOLINKIN & REED

**Attorney Address:** 208 SOUTH LASALLE STREET, SUITE 1290

CHICAGO, IL 60604

**Attorney Phone:** 312-855-1044

**Attorney Fax:** 312-855-1089

**Defendant:** EDWIN W. ELDER

**Attorney(s):** ERIC J. MARLER

**Email Address:** INFO@RGRLAW.COM

**Firm Name:** REARDON, GOLINKIN AND REED

**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439

**Attorney Phone:** 312-855-3700

**Attorney Fax:** 312-855-1089

**Attorney(s):** KAREN A. REARDON

**Email Address:** INFO@RGRLAW.COM

**Firm Name:** REARDON GOLINKIN AND REED

**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439

**Attorney Phone:** 312-855-3700

**Attorney Fax:** 312-855-1089

**Attorney(s):** LEWIS J. LIMAN

**Email Address:** LLIMAN@CGSH.COM

**Firm Name:** CLEARY GOTTLIEB STEEN & HAMILTON, LLP(NYC)

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**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006

**Attorney Phone:** 212-225-2000

**Attorney Fax:** 212-225-3499

**Attorney(s):** MITCHELL A. LOWENTHAL

**Email Address:** MAOFILING@CGSH.COM

**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)

**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006

**Attorney Phone:** 212-225-2000

**Attorney Fax:** 212-225-3499

**Attorney(s):** SCOTT O. REED

**Firm Name:** REARDON, GOLINKIN AND REED

**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439

**Attorney Phone:** 312-855-3700

**Attorney Fax:** 312-855-1089

**Attorney(s):** SCOTT G. GOLINKIN

**Firm Name:** REARDON GOLINKIN & REED

**Attorney Address:** 208 SOUTH LASALLE STREET, SUITE 1290  
CHICAGO, IL 60604

**Attorney Phone:** 312-855-1044

**Attorney Fax:** 312-855-1089

**Defendant:** WILLIAM J. BARRETT

**Attorney(s):** ERIC J. MARLER

**Email Address:** INFO@RGRLAW.COM

**Firm Name:** REARDON, GOLINKIN AND REED

**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439

**Attorney Phone:** 312-855-3700

**Attorney Fax:** 312-855-1089

**Attorney(s):** KAREN A. REARDON

**Email Address:** INFO@RGRLAW.COM

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**Firm Name:** REARDON GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** LEWIS J. LIMAN  
**Email Address:** LLIMAN@CGSH.COM  
**Firm Name:** CLEARY GOTTLIEB STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** MITCHELL A. LOWENTHAL  
**Email Address:** MAOFILING@CGSH.COM  
**Firm Name:** CLEARY GOTTLIEB STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** SCOTT O. REED  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** SCOTT G. GOLINKIN  
**Firm Name:** REARDON GOLINKIN & REED  
**Attorney Address:** 208 SOUTH LASALLE STREET, SUITE 1290  
CHICAGO, IL 60604  
**Attorney Phone:** 312-855-1044  
**Attorney Fax:** 312-855-1089

**Defendant:** WILMER J. THOMAS, JR.  
**Attorney(s):** ERIC J. MARLER

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**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** KAREN A. REARDON  
**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** LEWIS J. LIMAN  
**Email Address:** LLIMAN@CGSH.COM  
**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** MITCHELL A. LOWENTHAL  
**Email Address:** MAOFILING@CGSH.COM  
**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** SCOTT O. REED  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089



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**Attorney(s):** SCOTT G. GOLINKIN  
**Firm Name:** REARDON GOLINKIN & REED  
**Attorney Address:** 208 SOUTH LASALLE STREET, SUITE 1290  
CHICAGO, IL 60604  
**Attorney Phone:** 312-855-1044  
**Attorney Fax:** 312-855-1089

**Defendant:** PETER H. FOLEY  
**Party Terminated:** TERMINATED: 11/04/2003

**Defendant:** PATRICK LYNCH  
**Party Terminated:** TERMINATED: 12/01/2003

**Defendant:** ROBERT SILVER  
**Party Terminated:** TERMINATED: 04/28/2005  
**Attorney(s):** JENNIFER YULE DEPRIEST  
**Firm Name:** SACHNOFF & WEAVER, LTD.  
**Attorney Address:** 10 SOUTH WACKER DRIVE, 40TH FLOOR  
CHICAGO, IL 60606  
**Attorney Phone:** 312-207-1000  
**Attorney Fax:** 312-207-6400

**Attorney(s):** JONATHAN S. QUINN  
**Firm Name:** OFFICE OF THE DISTRICT ATTORNEY  
ONE HOGAN PLACE  
NEW YORK, NY 10013  
**Attorney Phone:** 212-553-9000

**Attorney(s):** SARAH R. WOLFF  
**Firm Name:** SACHNOFF & WEAVER, LTD.  
**Attorney Address:** 10 SOUTH WACKER DRIVE, 40TH FLOOR  
CHICAGO, IL 60606  
**Attorney Phone:** 312-207-1000  
**Attorney Fax:** 312-207-6400

**Defendant:** HERBERT M. GARDNER  
**Party Terminated:** TERMINATED: 11/25/2003

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**Defendant:** JOHN A. DORE  
**Attorney(s):** ERIC J. MARLER  
**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707

CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** KAREN A. REARDON  
**Email Address:** INFO@RGRLAW.COM  
**Firm Name:** REARDON GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** LEWIS J. LIMAN  
**Email Address:** LLIMAN@CGSH.COM  
**Firm Name:** CLEARY GOTTlieb STEEN & HAMILTON, LLP(NYC)  
**Attorney Address:** 1 LIBERTY PLAZA  
NEW YORK, NY 10006  
**Attorney Phone:** 212-225-2000  
**Attorney Fax:** 212-225-3499

**Attorney(s):** SCOTT O. REED  
**Firm Name:** REARDON, GOLINKIN AND REED  
**Attorney Address:** 111 WEST WASHINGTON STREET, SUITE 707  
CHICAGO, IL 60602-3439  
**Attorney Phone:** 312-855-3700  
**Attorney Fax:** 312-855-1089

**Attorney(s):** SCOTT G. GOLINKIN  
**Firm Name:** REARDON GOLINKIN & REED  
**Attorney Address:** 208 SOUTH LASALLE STREET, SUITE 1290  
CHICAGO, IL 60604

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Attorney Phone: 312-855-1044

Attorney Fax: 312-855-1089

Defendant: JOHN DOES 1-10

Party Terminated: TERMINATED: 03/05/2004

Defendant: KARLA VIOLETTA

Attorney(s): JOHN SAND SIFFERT

Email Address: JSIFFERT@LSWLAW.COM

Firm Name: LANKLER SIFFERT &amp; WOHL LLP

Attorney Address: 500 FIFTH AVENUE, 33RD FLOOR  
NEW YORK, NY 10110

Attorney Phone: 212-921-8339

Attorney Fax: 212-764-3701

Intervenor: AMERICAN SUMMIT INSURANCE COMPANY

Attorney(s): PETER MICHAEL BURKE

Email Address: PBURKE@CRELAW.COM

Firm Name: COOPER, ROSE &amp; ENGLISH, LLP

Attorney Address: 480 MORRIS AVENUE  
SUMMIT, NJ 07901

Attorney Phone: 908-273-1212

Attorney Fax: 908-273-8922

**DOCKET PROCEEDINGS**

Entry#:	Date:	Description:
229	12/04/2007	DECLARATION OF SCOTT G. GOLINKIN IN SUPPORT RE: 228 MOTION TO QUASH. DOCUMENT FILED BY JOHN A. DORE. (DJC) (ENTERED: 12/06/2007)
		Order Document for Later Delivery
228	12/04/2007	MOTION TO QUASH PLAINTIFFS' SUBPOENA TO GREAT AMERICAN INSURANCE GROUP. DOCUMENT FILED BY JOHN A. DORE.(DJC) (ENTERED: 12/06/2007)

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227                      11/30/2007                      MEMORANDUM OF LAW IN SUPPORT RE: 208 MOTION TO QUASH. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER ET AL. (CD) (ENTERED: 12/05/2007)

Order Document for Later Delivery

224                      11/29/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM JOSEPH A. PATRICE DATED 11/29/2007 RE: THIS FIRM REPRESENTS DEFENDANT KARLA VIOLETTO IN THE ABOVE-REFERENCED ACTION. WE WRITE TO REQUEST AN ADJOURNMENT OF A HEARING BEFORE THE COURT SCHEDULED FOR DECEMBER 3, 2007 AT 4:00 PM. ENDORSEMENT: ADJOURNED TO 1/15/08 AT 11:00. SO ORDERED. ( STATUS CONFERENCE SET FOR 1/15/2008 AT 11:00 AM BEFORE JUDGE RICHARD M. BERMAN.) (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/30/2007) (JMI) (ENTERED: 12/03/2007)

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226                      11/27/2007                      MEMORANDUM OF LAW IN SUPPORT OF NOTICE OF MOTION TO RECONSIDER ORDER DENYING PLAINTIFFS' OBJECTIONS TO MAGISTRATE JUDGE PITMAN'S 6/22/07 ORDER DENYING PLAINTIFFS' REQUEST FOR LEAVE TO SERVE A PRIVILEGE LOG AT THE CONCLUSION OF A ROLLING PRODUCTION OF ARCHIVED ELECTRONICALLY STORED INFORMATION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (DLE) (ENTERED: 12/04/2007)

Order Document for Later Delivery

225                      11/27/2007                      NOTICE OF MOTION TO RECONSIDER ORDER DENYING PLAINTIFFS' OBJECTIONS TO MAGISTRATE JUDGE PITMAN'S 6/22/07 ORDER DENYING PLAINTIFFS' REQUEST FOR LEAVE TO SERVE A PRIVILEGE LOG AT THE CONCLUSION OF A ROLLING PRODUCTION OF ARCHIVED ELECTRONICALLY STORED INFORMATION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC..(DLE) (ENTERED: 12/04/2007)

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223                      11/21/2007                      DECLARATION OF ALAINA M. MORGAN IN SUPPORT OF PLAINTIFF'S OPPOSITION TO : 220 MOTION FOR RECONSIDERATION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (JCO) (ENTERED: 11/27/2007)

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222                    11/21/2007                    MEMORANDUM OF LAW IN OPPOSITION RE: 220 MOTION FOR RECONSIDERATION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (JCO) (ENTERED: 11/27/2007)

Order Document for Later Delivery

221                    11/14/2007                    ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT, JR. DATED 11/13/07 RE: COUNSEL FOR PLAINTIFFS KINGSWAY FINANCIAL SERVICES, INC. AND AMERICAN COUNTRY HOLDINGS, INC. REQUEST THAT THE STAY BE LIFTED AS TO DEFENDANT PRICEWATERHOUSECOOPERS LLP. ENDORSEMENT: THE APPLICATION IS RESPECTFULLY REFERRED TO JUDGE PITMAN. (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/14/07) (TRO) (ENTERED: 11/14/2007)

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220                    11/08/2007                    MOTION FOR RECONSIDERATION OF THE DENIAL OF HIS MOTION TO DISMISS PLAINTIFFS' COMPLAINT. DOCUMENT FILED BY JOHN A. DORE.(DJC) (ENTERED: 11/13/2007)

Order Document for Later Delivery

219                    11/08/2007                    DECLARATION OF SCOTT O. REED IN SUPPORT OF MOTION OF DEFENDANT JOHN A. DORE TO RECONSIDER THE DENIAL OF HIS MOTION TO DISMISS THE COMPLAINT. DOCUMENT FILED BY JOHN A. DORE. (DJC) (ENTERED: 11/13/2007)

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218                    11/07/2007                    ORDER THAT FOR THE REASONS SET FORTH IN THIS ORDER, THE COURT ADOPTS PLAINTIFFS' OBJECTIONS 180 TO JUDGE PITMAN'S PRIVILEGE ORDER 178 , DATED 6/22/07, DENIES PLAINTIFFS' OBJECTIONS 187 TO JUDGE PITMAN'S EXTENSION ORDER 179 , DATED 6/22/07, AND RESPECTFULLY REMANDS TO JUDGE PITMAN TO DETERMINE WHETHER THE ATTORNEY-CLIENT PRIVILEGE WITH RESPECT TO THE E-MAIL WAS WAIVED BY PLAINTIFFS' ORIGINAL &QUOT;INADVERTENT&QUOT; PRODUCTION TO DEFENDANTS AND/OR UNDER THE &QUOT;CRIME-FRAUD EXCEPTION&QUOT; TO THE ATTORNEY-CLIENT PRIVILEGE. (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/7/07) (DLE) (ENTERED: 11/08/2007)

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- 217                      09/14/2007                      REPLY AFFIDAVIT OF JHN A.DORE IN SUPPORT RE: 208 MOTION TO QUASH PLAINTIFFS' SUBPOENA TO YAHOO INC. DOCUMENT FILED BY JOHN A. DORE. (DJC) (ENTERED: 09/17/2007)
- Order Document for Later Delivery
- 215                      09/12/2007                      REPLY MEMORANDUM OF LAW IN SUPPORT RE: 214 REPLY MEMORANDUM OF LAW IN SUPPORT OF MOTION. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (DJC) (ENTERED: 09/13/2007)
- Order Document for Later Delivery
- 214                      09/12/2007                      REPLY MEMORANDUM OF LAW IN SUPPORT RE: 204 MOTION FOR ISSUANCE OF LETTER OF REQUESTS FOR INTERNATIONAL JUDICIAL ASSISTANCE. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (DJC) (ENTERED: 09/13/2007)
- Order Document for Later Delivery
- 216                      09/11/2007                      DECLARATION OF RONALD J. HEDGES IN SUPPORT RE: 213 MOTION TO COMPEL. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (PL) (ENTERED: 09/13/2007)
- Order Document for Later Delivery
- 213                      09/11/2007                      CROSS-MOTION FOR AN ORDER TO COMPEL YAHOO, INC. TO COMPLY WITH A SUBPOENA PROPERLY SERVED UPON IT ON 8/1/07, AS AMENDED AUGUST 13, 2007. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.(PL) (ENTERED: 09/13/2007)
- Order Document for Later Delivery
- 212                      09/11/2007                      MEMORANDUM OF LAW IN SUPPORT RE: 211 MOTION TO COMPLY. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (PL) (ENTERED: 09/13/2007)
- Order Document for Later Delivery
- 211                      09/11/2007                      PLAINTIFFS KINGSWAY FINANCIAL SERVICES, INC. AND AMERICAN COUNTRY HOLDINGS, INC.S OPPOSITION TO DFT. JOHN A. DORES MOTION TO QUASH PLAINTIFFS SUBPOENA TO YAHOO, INC. AND CROSS-MOTION TO COMPEL YAHOO!, INC. TO COMPLY FORTHWITH. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.(PL) (ENTERED: 09/13/2007)

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210                      09/06/2007                      STIPULATION AND ORDER, BY AND BETWEEN UNDERSIGNED COUNSEL FOR PLAINTIFFS AND DEFENDANT THE PLAINTIFFS' OPPOSITION TO PWC'S MOTION FOR THE ISSUANCE OF LETTER OF REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE SHALL BE SERVED ON AND RECEIVED BY PWC ON SEPTEMBER 4, 2007 AND THAT PWC'S REPLY PAPERS SHALL BE SERVED ON AND RECEIVED BY PLAINTIFFS ON SEPTEMBER 11, 2007. I IS FURTHER STIPULATED AND AGREED THAT THIS STIPULATION MAY BE EXECUTED IN COUNTERPARTS, AND THAT SIGNATURES. SO ORDERED (SIGNED BY JUDGE HENRY B. PITMAN ON 8/29/2007) (JMI) (ENTERED: 09/10/2007)

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209                      09/06/2007                      DECLARATION OF SCOTT GOLINKIN IN SUPPORT RE: 208 MOTION TO QUASH.. DOCUMENT FILED BY JOHN A. DORE. (CD) (ENTERED: 09/07/2007)

Order Document for Later Delivery

208                      09/06/2007                      MOTION TO QUASH PLAINTIFFS' SUBPOENA TO YAHOO! INC. DOCUMENT FILED BY JOHN A. DORE.(CD) (ENTERED: 09/07/2007)

Order Document for Later Delivery

207                      09/04/2007                      MEMORANDUM OF LAW IN RESPONSE RE: 204 MOTION FOR ISSUANCE OF LETTER OF REQUESTS FOR INTERNATIONAL JUDICIAL ASSISTANCE. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (RW) (ENTERED: 09/06/2007)

Order Document for Later Delivery

206                      08/21/2007                      REDACTED VERSION DECLARATION OF SIUBHAN J.E. MAGEE IN SUPPORT RE: 204 MOTION FOR ISSUANCE OF LETTER OF REQUESTS FOR INTERNATIONAL JUDICIAL ASSISTANCE. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (PL) MODIFIED ON 8/27/2007 (LANCASTER, PATRICIA). (ENTERED: 08/27/2007)

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205                      08/21/2007                      REDACTED VERSION) MEMORANDUM OF LAW IN SUPPORT RE: 204 MOTION FOR ISSUANCE OF LETTER OF REQUESTS FOR INTERNATIONAL JUDICIAL ASSISTANCE. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (PL) MODIFIED ON 8/27/2007

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(LANCASTER, PATRICIA). MODIFIED ON 8/27/2007 (LANCASTER, PATRICIA). (ENTERED: 08/27/2007)

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204                      08/21/2007                      MOTION; FOR AN ORDER FOR ISSUANCE OF LETTER OF REQUESTS FOR INTERNATIONAL JUDICIAL ASSISTANCE. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP.(PL) (ENTERED: 08/27/2007)

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202                      08/17/2007                      ORDER STRIKING DOCUMENT FROM RECORD THAT DOCUMENT NOS. [199, 200, AND 201] ARE STRICKEN FROM THE RECORD. THE MOTION BE STRICKEN FROM THE RECORD AND RETURNED TO PWC. PWC MAY RE-FILE THE MOTION ALONG WITH A REDACTED VERSION FOR THE PUBLIC RECORD. SO ORDERED. (SIGNED BY JUDGE HENRY B. PITMAN ON 8/16/07) (JCO) (ENTERED: 08/17/2007)

Order Document for Later Delivery

08/13/2007                      \*\*\*STRICKEN DOCUMENT. DELETED DOCUMENT NUMBER 201 FROM THE CASE RECORD. THE DOCUMENT WAS STRICKEN FROM THIS CASE PURSUANT TO 202 ORDER STRIKING DOCUMENT FROM RECORD. RETURNED DOCUMENTS TO COUNSEL BY MAIL ON 8/17/07. (JCO) (ENTERED: 08/17/2007)

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08/13/2007                      \*\*\*STRICKEN DOCUMENT. DELETED DOCUMENT NUMBER 200 FROM THE CASE RECORD. THE DOCUMENT WAS STRICKEN FROM THIS CASE PURSUANT TO 202 ORDER STRIKING DOCUMENT FROM RECORD. RETURNED DOCUMENTS TO COUNSEL BY MAIL ON 8/17/07. (JCO) (ENTERED: 08/17/2007)

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08/13/2007                      \*\*\*STRICKEN DOCUMENT. DELETED DOCUMENT NUMBER 199 FROM THE CASE RECORD. THE DOCUMENT WAS STRICKEN FROM THIS CASE PURSUANT TO 202 ORDER STRIKING DOCUMENT FROM RECORD. RETURNED DOCUMENTS TO COUNSEL BY MAIL ON 8/17/07. (JCO) (ENTERED: 08/17/2007)

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198                      08/09/2007                      LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT, JR. DATED 8/8/07 RE: PLAINTIFF'S LETTER



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REPLY TO THE MEMORANDUM OF OUTSIDE DIRECTOR DEFENDANTS MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, AND WILMER J. THOMAS, JR. JOINING IN ARGUMENTS SET FORTH IN DEFENDANT JOHN DORE'S OPPOSITION TO PLAINTIFFS' APPEAL FROM MAGISTRATE JUDGE PITMAN'S JUNE 22, 2007 ORDER. PLAINTIFF'S RENEW THEIR REQUEST FOR ORAL ARGUMENT. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.(TRO) (ENTERED: 08/14/2007)

Order Document for Later Delivery

197                      08/06/2007                      LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD RUVOLDT DATED 7/27/07 RE: COUNSEL FOR PLAINTIFFS REPLY TO THE OPPOSITION OF DFT JOHN A. DORE TO PLAINTIFFS' APPEAL FROM MAGISTRATE JUDGE PITMAN'S 6/22/07 ORDER DENYING PRODUCTION OF PRIVILEGE LOG AT TEH CONCLUSION OF PRODUCTION OF ELECTRONIC DOCUMENTS. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC..(DLE) (ENTERED: 08/06/2007)

Order Document for Later Delivery

196                      08/03/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS J. LIMAN DATED 8/3/07 RE: CONFIRMING THAT ALL PARTIES WILL APPEAR FOR A SETTLEMENT CONFERENCE ON 8/28/2007 AT 9:15 A.M. ENDORSEMENT: SO ORDERED. (SIGNED BY JUDGE RICHARD M. BERMAN ON 8/3/07) (KCO) (ENTERED: 08/06/2007)

Order Document for Later Delivery

195                      08/01/2007                      DECLARATION OF ALEXANDER JANGHORBANI JOINING: 192 MEMORANDUM OF LAW IN OPPOSITION. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DB) (ENTERED: 08/02/2007)

Order Document for Later Delivery

194                      08/01/2007                      MEMORANDUM OF LAW JOINING: 192 MEMORANDUM OF LAW IN OPPOSITION. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DB) (ENTERED: 08/02/2007)

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193                      07/24/2007                      DECLARATION OF SCOTT REED IN SUPPORT RE: 192 MEMORANDUM OF LAW IN OPPOSITION. DOCUMENT FILED BY

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JOHN A. DORE. (CD) (ENTERED: 07/27/2007)

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192                      07/24/2007                      MEMORANDUM OF LAW IN OPPOSITION RE: 180 APPEAL OF  
MAGISTRATE JUDGE DECISION TO DISTRICT COURT. DOCUMENT  
FILED BY JOHN A. DORE. (CD) (ENTERED: 07/27/2007)

Order Document for Later Delivery

191                      07/23/2007                      REPLY TO THE OPPOSITION OF PLTFFS: 180 APPEAL OF  
MAGISTRATE JUDGE DECISION TO DISTRICT COURT, 185  
OPPOSITION BRIEF. DOCUMENT FILED BY KINGSWAY FINANCIAL  
SERVICES, INC.. (JP) (ENTERED: 07/27/2007)

Order Document for Later Delivery

186                      07/16/2007                      DECLARATION OF SCOTT G. GOLINKIN IN SUPPORT RE: 185  
OPPOSITION OF DEFENDANT JOHN A. DORE TO PLTS' RE: 180  
APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT.  
DOCUMENT FILED BY JOHN A. DORE. (JAR) (ENTERED: 07/17/2007)

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185                      07/16/2007                      OPPOSITION OF DEFENDANT JOHN A. DORE TO PLTS' RE: 180  
APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT.  
DOCUMENT FILED BY JOHN A. DORE.(JAR) (ENTERED: 07/17/2007)

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184                      07/13/2007                      ORDER; THIS MATTER IS STAYED IN ALL REGARDS AS TO THE  
AFORMENTIONED PARTIES UNTIL 9 A.M. ON MONDAY 7/23/2007  
OR UNTIL SUCH LATER DATE AS THE PARTIES SHALL AGREE.  
THE DEPOSITION OF WILMER J. THOMAS, JR. WILL CONTINUE ON  
7/26/2007 AT 9:30 A.M. OR ON SUCH EARLIER DATES AS THE  
PARTIES SHALL AGREE. DURING THE STAY PERIOD, ALL PARTIES  
HEREIN ARE RELIEVED FROM ANY AND ALL OBLIGATIONS TO  
PROCEED, IN ANY FASHION, INCLUDING ALL OBLIGATIONS  
UNDER THE 12/28/2006 ORDER OF MAG. JUDGE PITMAN. (SIGNED  
BY JUDGE RICHARD M. BERMAN ON 7/12/07) (KCO) (ENTERED:  
07/17/2007)

Order Document for Later Delivery

190                      07/09/2007                      DECLARATION OF MARK D. KAPLOWITZ IN SUPPORT RE: 187  
APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT.  
DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.,

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AMERICAN SUMMIT INSURANCE COMPANY. (JMI) (ENTERED: 07/18/2007)

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189                      07/09/2007                      DECLARATION OF HAROLD J. RUVOLDT, JR.. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC., AMERICAN SUMMIT INSURANCE COMPANY. (JMI) (ENTERED: 07/18/2007)

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188                      07/09/2007                      MEMORANDUM OF LAW IN SUPPORT RE: 187 APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (JMI) (ENTERED: 07/18/2007)

Order Document for Later Delivery

187                      07/09/2007                      APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT FROM 179 ORDER. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC., AMERICAN SUMMIT INSURANCE COMPANY. (ND) (ENTERED: 07/17/2007)

Order Document for Later Delivery

182                      07/03/2007                      DECLARATION OF MARK D. KAPLOWITZ IN SUPPORT RE: 180 APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (AE) (ENTERED: 07/03/2007)

Order Document for Later Delivery

181                      07/03/2007                      MEMORANDUM OF LAW IN SUPPORT RE: 180 APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (AE) (ENTERED: 07/03/2007)

Order Document for Later Delivery

180                      07/03/2007                      APPEAL OF MAGISTRATE JUDGE DECISION TO DISTRICT COURT FROM 178 MEMORANDUM & OPINION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC., AMERICAN SUMMIT INSURANCE COMPANY. (ND) (ENTERED: 07/03/2007)

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183                      06/29/2007                      ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY B. PITMAN FROM RONALD J. HEDGES DATED 6/25/07 RE: COUNSEL FOR PLAINTIFF REQUEST THAT A STAY BE ISSUED PENDING A DECISION BY JUDGE BERMAN ON THE APPEAL. ENDORSEMENT: MY ORDER CONCERNING THE 4/25/03 E-MAIL IS STAYED PENDING APPEAL PROVIDED PLAINTIFF TAKES A TIMELY APPEAL. AN ORDER DENYING A REQUEST FOR AN EXTENSION OF TIME IS NOT CAPABLE OF BEING STAYED. SO ORDERED. (SIGNED BY JUDGE HENRY B. PITMAN ON 6/26/07) (JS) (ENTERED: 07/05/2007)

Order Document for Later Delivery

179                      06/27/2007                      ORDER; PLAINTIFF'S APPLICATION FOR AN EXTENSION OF TIME TO PRODUCE ITS INDICES OF DOCUMENTS WITHHELD ON THE GROUND OF PRIVILEGE IS DENIED. (SIGNED BY JUDGE HENRY B. PITMAN ON 6/22/07) COPIES MAILED BY CHAMBERS.(KCO) (ENTERED: 06/28/2007)

Order Document for Later Delivery

178                      06/27/2007                      OPINION AND ORDER # 94836. FOR ALL THE FOREGOING REASONS, DORE'S MOTION TO COMPEL PRODUCTION OF THE 4-25-03 E-MAIL IS GRANTED. (SIGNED BY JUDGE HENRY B. PITMAN ON 6/22/07) COPIES MAILED BY CHAMBERS(KCO) (ENTERED: 06/28/2007)

Order Document for Later Delivery

06/12/2007                      MINUTE ENTRY FOR PROCEEDINGS HELD BEFORE JUDGE RICHARD M. BERMAN : STATUS CONFERENCE HELD ON 6/12/2007. MOTION TO DISQUALIFY WITHDRAWN AS MOOT. STATUS CONFERENCE SET FOR 9/10/2007 AT 09:30 AM BEFORE JUDGE RICHARD M. BERMAN. (TRO) (ENTERED: 06/14/2007)

Order Document for Later Delivery

177                      06/01/2007                      ENDORSED LETTER ADDRESSED TO JUDGE HENRY PITMAN FROM HAROLD J. RUVOLDT DATED 5/24/07 RE: A REQUEST FOR AN EXTENSION OF TIME TO COMPLY WITH THE PROVISION OF THE ORDER UNTIL 6/8/07. ENDORSEMENT: APPLICATION DENIED. NO BASIS FOR THE EXTENSION HAS BEEN SHOWN. (SIGNED BY JUDGE HENRY B. PITMAN ON 5/29/07) (KCO) MODIFIED ON 6/5/2007 (KA). (ENTERED: 06/04/2007)

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176                      05/25/2007                      REPLY MEMORANDUM OF LAW IN SUPPORT OF 171 MOTION FOR SANCTIONS. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (JPO) (ENTERED: 05/30/2007)

Order Document for Later Delivery

175                      05/24/2007                      DECLARATION OF RONALD J. HEDGES IN SUPPORT RE: 174 RESPONSE TO MOTION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC., AMERICAN SUMMIT INSURANCE COMPANY. (DJC) (ENTERED: 05/30/2007)

Order Document for Later Delivery

174                      05/24/2007                      (MEMORANDUM OF LAW) RESPONSE TO MOTION RE: 171 MOTION FOR SANCTIONS.. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC., AMERICAN SUMMIT INSURANCE COMPANY. (DJC) (ENTERED: 05/30/2007)

Order Document for Later Delivery

05/22/2007                      SET/RESET SCHEDULING ORDER DEADLINES: CONFERENCE SET FOR 6/12/2007 02:30 PM BEFORE JUDGE RICHARD M. BERMAN. (CD) (ENTERED: 05/24/2007)

Order Document for Later Delivery

173                      05/22/2007                      ENDORSED LETTER ADDRESSED TO JUDGE BERMAN FROM RONALD HEDGES DATED 5/21/07 RE DEFT LETTER (MR. LOWENTHAL) OF 5/18/07 AND THAT THE 5/23 CONF SHOULD PROCEED: CONFERENCE ADJOURNED TO 6/12/07 AT 2:30 PM: (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/22/07) (CD). (ENTERED: 05/24/2007)

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172                      05/17/2007                      MEMORANDUM OF LAW IN SUPPORT RE: 171 MOTION FOR SANCTIONS PURSUANT TO RULE 37(B)(2) FOR PLAINTIFFS' CONTINUING FAILURE TO COMPLY WITH THE COURT'S 12/28/2006 ORDER TO PRODUCE CERTAIN ARCHIVED EMAILS AND OTHER ELECTRONICALLY STORED DOCUMENTS. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (JAR) (ENTERED: 05/17/2007)

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- 171                      05/17/2007                      MOTION FOR SANCTIONS PURSUANT TO RULE 37(B)(2) FOR PLAINTIFFS' CONTINUING FAILURE TO COMPLY WITH THE COURT'S 12/28/2006 ORDER TO PRODUCE CERTAIN ARCHIVED EMAILS AND OTHER ELECTRONICALLY STORED DOCUMENTS. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR.(JAR) (ENTERED: 05/17/2007)
- Order Document for Later Delivery
- 170                      05/01/2007                      ORDER: PLAINTIFF'S APPLICATION MADE BY LETTER DATED APRIL 25, 2007 FOR AN EXTENSION OF THE SCHEDULE SET FORTH IN MY ORDER DATED DECEMBER 28, 2006 IS DENIED. (SIGNED BY JUDGE HENRY B. PITMAN ON 4/27/07) (JS) (ENTERED: 05/03/2007)
- Order Document for Later Delivery
- 04/23/2007                      SET/RESET HEARINGS: SETTLEMENT CONFERENCE SET FOR 5/23/2007 04:30 PM BEFORE JUDGE RICHARD M. BERMAN. (DLE) (ENTERED: 04/25/2007)
- Order Document for Later Delivery
- 169                      04/23/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS LIMAN DATED 4/19/07 RE: COUNSEL FOR DFTS REQUEST THAT THE COURT ADJOURN THE SETTLEMENT CONFERENCE TO 5/23/07. 5/23/07 @ 4:30 P.M. (SIGNED BY JUDGE RICHARD M. BERMAN ON 4/20/07) (DLE) (ENTERED: 04/25/2007)
- Order Document for Later Delivery
- 04/19/2007                      SET DEADLINES/HEARINGS: SETTLEMENT CONFERENCE SET FOR 5/9/2007 11:00 AM BEFORE JUDGE RICHARD M. BERMAN. (DJC) (ENTERED: 04/25/2007)
- Order Document for Later Delivery
- 168                      04/19/2007                      ENDORSED LETTER ADDRESSED TO JUDGE BERMAN FROM LEWIS J. LIMAN DATED 4/18/07 RE: 4/23/07 CONFERENCE IS ADJOURNED TO 5/9/07 AT 11:00 A.M. SETTLEMENT CONFERENCE WITH PRINCIPALS ON 5/9/07 AND PARTIES TO NEGOTIATE SETTLEMENT IN GOOD FAITH PRIOR TO THE CONFERENCE.. (SIGNED BY JUDGE RICHARD M. BERMAN ON 4/19/07) (DJC) (ENTERED: 04/20/2007)
- Order Document for Later Delivery

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04/05/2007 SET DEADLINES/HEARINGS: REPLIES DUE BY 3/28/2007. (JS)  
(ENTERED: 04/06/2007)

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167 04/04/2007 ENDORSED LETTER ADDRESSED TO HENRY B. PITMAN FROM  
ERIC J. MARLER DATED 3/16/07 RE: ALTHOUGH THE COURT'S  
MARCH 2, 2007 INSTRUCTIONS CONCERNING THE FILING OF  
PLAINTIFFS RESPONSE DO NOT SPECIFICALLY ADDRESS THE  
ISSUE OF REPLY PAPERS, WE BELIEVE THAT THE COMPLEXITY  
OF THE ISSUES PRESENTED WARRANTS THE FILING OF SUCH  
PAPERS AND REQUEST UNTIL WEDNESDAY MARCH 28, 2007 TO  
MAKE OUR SUBMISSION. ENDORSEMENT: APPLICATION  
GRANTED. (SIGNED BY JUDGE HENRY B. PITMAN ON 3/23/07) (JS)  
(ENTERED: 04/06/2007)

Order Document for Later Delivery

166 04/02/2007 NOTICE OF CHANGE OF ADDRESS BY ERIC J. MARLER, KAREN A.  
REARDON, SCOTT O. REED ON BEHALF OF JOHN A. DORE NEW  
ADDRESS: REARDON GOLINKIN & REED, 111 WEST WASHINGTON  
STREET, SUITE 707, CHICAGO, IL, 60602-3439, (312)855-3700 FAX:  
(312)855-1089 EMAIL: INFO@RGRLAW.COM. (TRO) (ENTERED:  
04/06/2007)

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165 04/02/2007 NOTICE OF WITHDRAWAL OF ATTORNEY DANIEL V. MARSALI,  
WHO IS NO LONGER WITH THE FIRM OF REARDON GOLINKIN &  
REED. DOCUMENT FILED BY JOHN A. DORE. (CD) (ENTERED:  
04/04/2007)

Order Document for Later Delivery

164 03/30/2007 ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M BERMAN  
FROM LEWIS J. LIMAN DATED 3/29/2007 RE: TO THERE IS REASON  
TO BELIEVE THAT GROUNDS FOR DISQUALIFICATION EXIST.  
HOWEVER, WE WILL NOT BE PREPARE TO ADDRESS THE MERITS  
OF ANY SUCH MOTION UNTIL AFTER E&A HAS PROVIDED TH  
DOCUMENTS IT HAS AGREED TO PRODUCE. ENDORSEMENT:  
WE'LL GO FORWARD ON 4/2 AS PLANNED. PLAINTIFFS CAN MAKE  
THE DISCOVERY -TODAY AND TOMORROW (3/30 & 3/31). NO NEED  
FOR ANY MORE LETTERS FROM EITHER SIDE. SO ORDERED.  
(SIGNED BY JUDGE RICHARD M. BERMAN ON 3/30/2007) (JMI)  
(ENTERED: 04/03/2007)

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03/28/2007 SET DEADLINES/HEARINGS: REPLIES DUE BY 3/28/2007. (JS)  
(ENTERED: 03/30/2007)

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163 03/28/2007 ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE PITMAN FROM ERIC J. MARLER DATED 3/16/07 RE: ALTHOUGH THE COURT'S MARCH 2, 2007 INSTRUCTIONS CONCERNING THE FILING OF PLAINTIFFS RESPONSE DO NOT SPECIFICALLY ADDRESS THE ISSUE OF REPLY PAPERS, WE BELIEVE THAT THE COMPLEXITY OF THE ISSUES PRESENTED WARRANTS THE FILING OF SUCH PAPERS, AND REQUEST UNTIL WEDNESDAY, MARCH 28, 2007 TO MAKE OUR SUBMISSION. ENDORSEMENT: APPLICATION GRANTED. (SIGNED BY JUDGE HENRY B. PITMAN ON 3/21/07) (JS) (ENTERED: 03/30/2007)

Order Document for Later Delivery

159 03/09/2007 ENDORSED LETTER ADDRESSED TO MAG. JUDGE HENRY PITMAN FROM CHRISTOPHER B. TURCOTTE DATED 3/2/07 RE: GRANTING PLAINTIFFS REQUESTS THAT THE COURT MODIFY ITS ORDER TO PERMIT PLAINTIFFS TO FILE THEIR OPPOSITION TO DFT'S MOTION TO COMPEL ON OR BEFORE 3/13/07, AND TO ALLOW THE OUTSIDE DIRECTORS TO FILE THEIR REPLY ON OR BEFORE 3/20/07. SO ORDERED. (SIGNED BY JUDGE HENRY B. PITMAN ON 3/2/07) (PL) MODIFIED ON 3/12/2007 (LANCASTER, PATRICIA). (ENTERED: 03/12/2007)

Order Document for Later Delivery

158 03/06/2007 ENDORSED LETTER ADDRESSED TO JUDGE HENRY B. PITMAN FROM HAROLD J. RUVOLDT DATED 2/26/07 RE: PLAINTIFFS REQUEST THAT A BRIEFING SCHEDULE; PLAINTIFF IS DIRECTED TO RESPOND TO THE MERITS OF DORE'S MOTION BY 3/9/07. EVEN IF JUDGE BERMAN REVERSED MY 12/28/06 IT WILL NOT MOOT THE MOTION TO COMPEL. (SIGNED BY JUDGE HENRY B. PITMAN ON 3/2/07) (AE) (ENTERED: 03/09/2007)

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157 03/05/2007 ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT DATED 3/2/07 RE: PLAINTIFF REQUESTS THAT THE COURT GRANT THIS SUBSTITUTION OF LAW FIRMS; APPLICATION GRANTED W/OUT PREJUDICE TO DEFENDANTS' ARGUMENTS. (SIGNED BY JUDGE RICHARD M. BERMAN ON 3/5/07) (AE) (ENTERED: 03/07/2007)

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156                      03/05/2007                      ORDER; THAT THE COURT AFFIRMS JUDGE PITMAN'S DISCOVERY ORDER IN ALL MATERIAL RESPECTS. (SIGNED BY JUDGE RICHARD M. BERMAN ON 3/2/07) (AE) (ENTERED: 03/07/2007)

Order Document for Later Delivery

02/26/2007                      MINUTE ENTRY FOR PROCEEDINGS HELD BEFORE JUDGE RICHARD M. BERMAN : STATUS CONFERENCE HELD ON 2/26/2007. STATUS CONFERENCE 3/26 AT 4PM RE:STATUS OF MOTION TO DISQUALIFY. (JMI) (ENTERED: 03/07/2007)

Order Document for Later Delivery

155                      02/22/2007                      ORDER UPON THE LETTER FROM COUNSEL TO DEFENDANT JOHN A. DORE, DATE FEBRUARY 8, 2007 REQUESTING LEAVE TO FILE A MOTION FOR PARTIAL SUMMARY JUDGMENT AND TO BIFURCATE THESE PROCEEDINGS, AND PLAINTIFFS' RESPONSE, DATED FEBRUARY 20,2007, AND THE RECORD HEREIN, THE COURT CONCLUDES THAT IT IS PREMATURE TO ENTERTAIN A MOTION FOR SUMMARY JUDGMENT AT THIS TIME AND APPLICATION TO MOVE IS DENIED WITHOUT PREJUDICE. THE PARTIES HAVE NOT YET COMPLETED DISCOVERY AND &QUOT;[T]HE NONMOVING PARTY WITHOUT PREJUDICE. THE PARTY MUST HAVE HAD THE OPPORTUNITY TO DISCOVER INFORMATION THAT IS ESSENTIAL TO HIS OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT&QUOT;.... (SIGNED BY JUDGE RICHARD M. BERMAN ON 2/22/2007) (JMI) (ENTERED: 02/26/2007)

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154                      02/20/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM CHRISTOPHER B. TURCOTTE DATED 2/16/07 RE: LETTERS ARE PREFERABLE TO CALLS (AND EMILEE IS TERRIFIC BUT IS AN INTERN AND NOT A CLERK), AS PLAINTIFF'S COUNSEL, IT IS SURPRISING THAT YOU ARE NOT SEEKING TO PRESS FORWARD WITH THIS CASE AND THAT YOU DON'T HAVE EARLY CONFERENCE OPTIONS OR PROPOSALS. (SIGNED BY JUDGE RICHARD M. BERMAN ON 2/20/07) (DB) (ENTERED: 02/23/2007)

Order Document for Later Delivery

02/14/2007                      TRANSMISSION TO ATTORNEY ADMISSIONS CLERK. TRANSMITTED RE: 149 MEMO ENDORSEMENT,, TO THE ATTORNEY ADMISSIONS CLERK FOR UPDATING OF ATTORNEY INFORMATION. (PL) (ENTERED: 02/20/2007)

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149                      02/14/2007                      MEMO ENDORSEMENT ON RE: 140 MOTION FOR SCOTT G. GOLINKIN TO APPEAR PRO HAC VICE. FILED BY EDWIN W. ELDER, WILLIAM J. BARRETT, MARTIN L. SOLOMON, WILMER J. THOMAS, JR. SO ORDERED. APPLICATION GRANTED. (SIGNED BY JUDGE HENRY B. PITMAN ON 2/8/07) (PL) (ENTERED: 02/20/2007)

Order Document for Later Delivery

146                      02/14/2007                      ORDER: GIVEN THE SUBSTANCE OF ANY AUTHORITY ON THE SUBJECT, I CONCLUDE THAT THE FAIREST RESOLUTION IS TO PRECLUDE DORE FROM REFERRING TO THE SUBSTANCE OF THE DOCUMENT IN HIS MOVING PAPERS. IF PLAINTIFF IN THEIR OPPOSITION MISCHARACTERIZE THE SUBSTANCE OF THE DOCUMENT AND ARGUE BASED ON THE SUBSTANCE OF THE DOCUMENT, DORE MAY, IN REPLY, REFER TO THE SUBSTANCE OF THE DOCUMENT. ALL OTHER PROCEDURES ARE AS FURTHER SET FORTH IN SAID ORDER. (SIGNED BY JUDGE HENRY B. PITMAN ON 2/8/07) COPIES MAILED BY CHAMBERS.(DB) (ENTERED: 02/15/2007)

Order Document for Later Delivery

145                      02/14/2007                      MEMORANDUM OPINION & ORDER # 94263 THAT THE OUTSIDE DIRECTORS' MOTION TO COMPEL PRODUCTION OF DOCUMENTS WITHHELD BY PLAINTIFFS IS GRANTED IN PART AND DENIED IN PART. (SIGNED BY JUDGE HENRY B. PITMAN ON 2/8/07) COPIES SENT BY CHAMBERS.(CD) (ENTERED: 02/15/2007)

Order Document for Later Delivery

144                      02/13/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM KAREN A. REARDEN DATED 2/8/07 RE: COUNSEL FOR DFT DORE REQUESTS LEAVE TO FILE A MOTION FOR SUMMARY JUDGMENT ON COUNT IV OF THE THIRD AMENDED COMPLAINT. LET'S HEAR FROM PLAINTIFF IN 2-3 PP LETTER BY 2/16/07, ALTHOUGH IT IS USUALLY COUNTER PRODUCTIVE TO BIFURCATE LITIGATION IN CIRCUMSTANCES LIKE THESE. (SIGNED BY JUDGE RICHARD M. BERMAN ON 2/13/07) (DLE) (ENTERED: 02/13/2007)



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148                      02/09/2007                      MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFFS' APPEAL OF JUDGE PITMAN'S 12/28/06 DISCOVERY ORDER. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (FILED IN THE NIGHT DEPOSIT

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ON 2/9/07 AT 5:39 P.M.)(AE) (ENTERED: 02/16/2007)

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147                      02/09/2007                      DECLARATION OF CHRISTOPHER PATON IN SUPPORT OF THEIR MEMORANDUM IN OPPOSITION TO PLAINTIFFS' APPEAL OF JUDGE PITMAN'S. DOCUMENT FILED BY MARTIN L. SOLOMON, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (JMI) (ENTERED: 02/16/2007)

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143                      01/31/2007                      ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY PITMAN FROM HAROLD J. RUVOLDT DATED 1/11/07 RE: PLAINTIFFS REQUEST THAT THE COURT AMEND ITS 12/28 ORDER AND EXTEND THE STAY UNTIL SUCH TIME THAT JUDGE BERMAN DECIDES PLAINTIFFS' APPEAL; THE STAY IS EXTENDED TO 1/16/07. WHETHER THE STAY SHOULD BE FURTHER EXTENDED IS AN ISSUE FOR JUDGE BERMAN IN THE 1ST INSTANCE. (SIGNED BY JUDGE HENRY B. PITMAN ON 1/31/07) (AE) (ENTERED: 02/01/2007)

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142                      01/31/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS LIMAN DATED 1/31/07 RE: COUNSEL FOR OUTSIDE DIRECTOR DFTS REQUEST A PREMOTION CONFERENCE TO FILE A MOTION TO DISQUALIFY EDWARDS ANGELL PALMER & DODGE LLP AND HAROLD J. RUVOLDT FROM CONTINUING TO REPRESENT PLAINTIFFS. PLAINTIFF TO RESPOND BY 2/7/07 AND THEREAFTER COUNSEL CAN SET A CONFERENCE DATE WITH COURT DEPUTY. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/31/07) (DLE) (ENTERED: 02/01/2007)

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141                      01/29/2007                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS J. LIMAN DATED 1/25/07 RE: COUNSEL FOR OUTSIDE DIRECTORS REQUESTS THAT THE COURT PERMIT THEM TO RESPOND BY 2/19/07. EXTENSION TO 2/17/07 @ NOON. THERE IS NO NEED FOR A REPLY. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/29/07) (DLE) MODIFIED ON 1/30/2007 (LEWIS, DIAHAN). (ENTERED: 01/30/2007)

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01/29/2007                      CASHIERS OFFICE REMARK IN THE AMOUNT OF \$25.00, PAID ON

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01/26/2007, RECEIPT NUMBER 604161. PAYMENT PRO HAC VICE FOR SCOTT G. GOLINKIN. (JD) (ENTERED: 01/29/2007)

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140                    01/26/2007                    MOTION FOR SCOTT G. GOLINKIN TO APPEAR PRO HAC VICE. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. MOTIONS REFERRED TO HENRY B. PITMAN. (JCO) (ENTERED: 01/30/2007)

Order Document for Later Delivery

139                    01/16/2007                    ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM CHRISTOPHER B. TURCOTTE DATED 1/12/07 RE: COUNSEL FOR PLAINTIFF WRITES TO SEEK A STAY OF JUDGE PITMAN'S ORDER UNTIL THIS COURT HAS HAD SUFFICIENT TIME TO CONSIDER AND DECIDE THIS APPEAL. ENDORSEMENT: STAY GRANTED (WITHOUT PREJUDICE) TO ALLOW COURT & PARTIES TIME TO BRIEF THE ISSUES & RESOLVE ANY OBJECTIONS TO MAGISTRATE JUDGE PITMAN'S 12/28/06 ORDER. ONLY ALLEGEDLY PRIVILEGED DOCUMENT & DISCUSSION OF IT MAY APPROPRIATELY BE SEALED & EVEN THAT IS WITHOUT PREJUDICE. SO ORDERED. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/16/07) (JCO) (ENTERED: 01/18/2007)

Order Document for Later Delivery

138                    01/16/2007                    NOTICE OF PLAINTIFFS' APPEAL OF MAGISTRATE JUDGE PITMAN'S DECEMBER 28, 2006 ORDER DIRECTING THE SEARCH OF PLAINTIFFS' ARCHIVED MEDIA AND DENYING PLAINTIFFS' MOTION TO DISQUALIFY DORE'S COUNSEL. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (JMI) (ENTERED: 01/18/2007)

Order Document for Later Delivery

01/12/2007                    \*\*\*STRICKEN DOCUMENT. DELETED DOCUMENT NUMBER 132 FROM THE CASE RECORD. THE DOCUMENT WAS STRICKEN FROM THIS CASE PURSUANT TO 135 ORDER,,. RETURNED DOCUMENTS TO COUNSEL BY MAIL ON 1/16/07. (RAG) (ENTERED: 01/16/2007)

Order Document for Later Delivery

135                    01/12/2007                    ORDER RE: 132 DECLARATION FILED BY KARLA VIOLETTO, PATRICK LYNCH, EDWIN W. ELDER, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., WILMER J. THOMAS, JR., HERBERT M. GARDNER, JOHN DOES, PRICEWATERHOUSE-COOPEERS, LLP, JOHN A. DORE, ROBERT SILVER, MARTIN L. SOLOMON, WILLIAM J.

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BARRETT, PETER H. FOLEY -IT IS HEREBY ORDERED THAT THE CLERK OF COURT IS DIRECTED TO STRIKE DOCKET ENTRY NUMBER 132 AND RETURN IT TO THE LAW FIRM OF CLEARY, GOTTLIEB, STEEN & HAMILTON LLP, ATTN: LEWIS J. LIMAN. (SIGNED BY JUDGE HENRY B. PITMAN ON 1/11/07) &QUOT;COPIES MAILED BY CHAMBERS&QUOT;;(RAG) (ENTERED: 01/16/2007)

Order Document for Later Delivery

134 01/11/2007 CORRECTED DECLARATION OF ALEXANDER J. JANGHORBANI. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (JMI, ) (ENTERED: 01/11/2007)

Order Document for Later Delivery

133 01/04/2007 ORDER PLAINTIFF'S APPLICATION FOR A PROTECTIVE ORDER PRECLUDING DISCOVERY OTHER OF DOCUMENTS STORED IN ELECTRONIC FORMAT ON DEVICES OTHER THAN ACTIVE SERVERS IS DENIED. GIVEN THE AMOUNT OF DAMAGES SOUGHT IN THIS CASE ( IN EXCESS OF \$100 MILLION), THE ESTIMATED COST OF A MODIFIED SEARCH OF THE RELEVANT RESPOSITORIES OF SUCH DOCUMENTS (LESS THAN \$750,000) AND THE PAUCITY OF RELEVANT E-MAILS DISCLOSED FROM OTHER SOURCES, PRODUCTION OF SUCH ELETRONIC DOCUMENTS IS NOT UNDULY BURDENSOME. THE PARTIES' REMAINING DISPUTES CONCERNING PLAINTFF'S OBLIGATIONS TO PRODUCE ELECTRONIC DOCUMENTS IN RESPONSE TO THE OUTSIDE DIRECTORS' FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS (&QUOT;FIRST REQUEST&QUOT;) IS RESOLVED. (SIGNED BY JUDGE HENRY B. PITMAN ON 12/28/2007) (JMI, ) (ENTERED: 01/09/2007)

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132 12/13/2006 DECLARATION OF ALEXANDER J. JANGHORBANI. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (JMI, ) MODIFIED ON 12/19/2006 (JMI, ). MODIFIED ON 12/20/2006 (JMI, ). (ENTERED: 12/15/2006)

Order Document for Later Delivery

131 12/11/2006 ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY B. PITMAN FROM LEWIS J. LIMAN RE: TO REQUEST THAT THE COURT PERMIT MR. REED AND THIS FIRM TEN (10) DAYS FROM THIS DATE I.E., ON OR BEFORE DECEMBER 15, 2006, TO RESPOND. RESPONSES DUE BY 12/15/2006. ENDORSEMENT: APPLICATION GRANTED. (SIGNED BY JUDGE HENRY B. PITMAN ON 12/8/2006) (JMI, ) (ENTERED: 12/11/2006)

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130                      12/07/2006                      ENDORSED LETTER ADDRESSED TO JUDGE HENRY B. PITMAN FROM LEWIS J. LIMAN DATED 12/1/06 RE: COUNSEL FOR OUTSIDE DIRECTORS WRITE TO SEEK THE COURT'S DIRECTION ON LIGHT OF PLAINTIFF'S POSITION THAT IT WILL NOT PRODUCE CERTAIN DOCUMENTS BEFORE THE DEPOSITION NOW SCHEDULED FOR 12/5/06. ENDORSEMENT: DEEMING THIS LETTER TO BE A MOTION TO COMPEL PLAINTIFF TO RESPOND TO THE 11/29/06. DOCUMENT REQUESTS ON OR BEFORE 12/5/06, THE MOTION IS DENIED. F.R.C.P. 30(B)(5) & 34(B). BEYOND THE FOREGOING, I DON'T UNDERSTAND WHAT RELIEF COUNSEL IS SEEKING. SO ORDERED. (SIGNED BY JUDGE HENRY B. PITMAN ON 12/1/06) (JCO, ) (ENTERED: 12/08/2006)

Order Document for Later Delivery

11/06/2006                      SET DEADLINES/HEARINGS: ORAL ARGUMENT SET FOR 12/19/2006 10:00 AM BEFORE MAGISTRATE JUDGE HENRY B. PITMAN. (JS, ) (ENTERED: 11/06/2006)

Order Document for Later Delivery

128                      11/06/2006                      ORDER: IT IS HEREBY ORDERED THAT PLAINTIFF SHALL SERVE AND FILE ITS AFFIDAVIT OR AFFIDAVITS IN SUPPORT OF ITS APPLICATION FOR A PROTECTIVE ORDER NO LATER THAN NOVEMBER 15, 2006. DEFENDANTS SHALL DEPOSE PLAINTIFF'S AFFIANT OR AFFIANTS NO LATER THAN DECEMBER 6, 2006. DEFENDANTS SHALL SERVE AND FILE ANY FACTUAL MATERIAL THEY WISH ME TO CONSIDER IN CONNECTION WITH PLAINTIFF'S APPLICATION FOR A PROTECTIVE ORDER NO LATER THAN DECEMBER 13, 2006. ORAL ARGUMENT ON PLAINTIFF'S APPLICATION WILL BE HEARD ON DECEMBER 19, 2006 AT 10:00 A.M IN COURTROOM 18A, UNITED STATES COURTHOUSE, 500 PEARL STREET, NEW YORK, NEW YORK 10007. (SIGNED BY JUDGE HENRY B. PITMAN ON 11/6/06) (JS, ) (ENTERED: 11/06/2006)

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09/19/2006                      SET DEADLINES/HEARINGS: RESPONSES DUE BY 10/23/2006 (JS, ) (ENTERED: 09/19/2006)


Order Document for Later Delivery

127                      09/19/2006                      ENDORSED LETTER ADDRESSED TO JUDGE HENRY B. PITMAN FROM LEWIS J. LIMAN DATED 9/18/06. ENDORSEMENT: THE EXTENSION OF TIME REQUESTED HEREIN IS GRANTED. (SIGNED

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BY JUDGE HENRY B. PITMAN ON 5/19/06) (JS, ) (ENTERED: 09/19/2006)

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126                      08/25/2006                      ORDER: REGARDING A NUMBER OF DISCOVERY DISPUTES THAT COUNSEL HAVE RAISED IN CORRESPONDENCE SUBMITTED TO THE COURT BETWEEN 8/7/2006 TO 8/10/2006. (SIGNED BY MAGISTRATE JUDGE HENRY B. PITMAN ON 8/18/2006) COPIES FAXED BY CHAMBERS.(LB, ) (ENTERED: 08/28/2006)

Order Document for Later Delivery

125                      08/25/2006                      ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY B. PITMAN FROM JANTRA VAN ROY DATED 8/17/06. ENDORSEMENT: COUNTRYWIDE'S TIME TO INTERVENE IS EXTENDED TO 9/1/06 AND PLAINTIFF CAN CONTINUE TO WITHHOLD THE COUNTRYWIDE DOCUMENT'S UNTIL 9/5/06. (SIGNED BY JUDGE HENRY B. PITMAN ON 8/18/06) (JS, ) (ENTERED: 08/28/2006)

Order Document for Later Delivery

124                      08/25/2006                      ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY B. PITMAN FROM HAROLD RUVOLDT DATED 8/17/06. ENDORSEMENT: APPLICATION DENIED. WORK IN THE DISCOVERY PERIOD IS INEVITABLE. THE DELAY THAT WOULD RESULT FROM GRANTING THE REQUEST IS NOT ACCEPTABLE. (SIGNED BY JUDGE HENRY B. PITMAN ON 8/18/06) (JS, ) (ENTERED: 08/28/2006)

Order Document for Later Delivery

123                      08/22/2006                      AFFIDAVIT OF GORDON ROBINSON BASED ON PERSONAL KNOWLEDGE... DOCUMENT FILED BY AMERICAN SUMMIT INSURANCE COMPANY. (DJC, ) (ENTERED: 08/23/2006)

Order Document for Later Delivery

08/21/2006                      \*\*\*NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. NOTE TO ATTORNEY PETER MICHAEL BURKE TO MANUALLY RE-FILE DOCUMENT MOTION TO INTERVENE, DOCUMENT NO. 122. THIS CASE IS NOT ECF. (KG, ) (ENTERED: 08/21/2006)


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122 08/18/2006 FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION TO INTERVENE. DOCUMENT FILED BY AMERICAN SUMMIT INSURANCE COMPANY. (ATTACHMENTS: #)(BURKE, PETER) MODIFIED ON 8/21/2006 (KG). (ENTERED: 08/18/2006)

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121 08/17/2006 NOTICE SELECTING MEDIATOR - NOTICE OF SELECTION OF MEDIATOR.(SC, ) (ENTERED: 08/17/2006)

Order Document for Later Delivery

120 08/07/2006 ORDER: PARAGRAPH 3 OF THE 7/21/06 ORDER IS AMENDED TO READ AS FOLLOWS: 3. PLAINTIFF'S APPLICATION TO FILE A SINGLE PRIVILEGE LOG CONCERNING THE HARD-COPY, E-MAILS AND OTHER DOCUMENTS STORED IN ELECTRONIC FORMAT THAT WERE SENT TO, RECEIVED BY OR COPEL TO THE SO-CALLED "PRIORITY INDIVIDUALS", I.E., CHRISTINE GENNETT, MICHAEL FRANCIS, JAMES ZUHLKE, WILLIAM STARR, SHAUN JACKSON, DENIS CLOUTIER, FRANK AMODEO, BRIAN SHEEKEY AND LINDA ALANIS, AND THAT ARE RESPONSIVE TO THE OUTSIDE DIRECTORS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS IS GRANTED; THE PRIVILEGE LOG WITH RESPECT TO THESE DOCUMENTS SHALL BE SERVED NO LATER THAN 8/18/06. PLAINTIFF MAY PRODUCE ADDITIONAL DOCUMENT TO SUCH LOG BY 9/1/06. (SIGNED BY JUDGE HENRY B. PITMAN ON 8/1/06) COPIES MAILED BY CHAMBERS.(DB, ) (ENTERED: 08/08/2006)

Order Document for Later Delivery

119 08/07/2006 ENDORSED LETTER ADDRESSED TO MAGISTRATE JUDGE HENRY B. PITMAN FROM LEWIS J. LIMAN DATED 8/2/06 RE: APPLICATION GRANTED (ON CONSENT). OUTSIDE DIRECTORS TIME TO RESPOND TO PLAINTIFFS MOTION FOR A PROTECTIVE ORDER IS EXTENDED TO 9/18/06. (SIGNED BY JUDGE HENRY B. PITMAN ON 8/3/06) (DB, ) (ENTERED: 08/08/2006)

Order Document for Later Delivery

118 08/04/2006 ORDER CASE ELIGIBLE FOR MEDIATION...THE ABOVE-ENTITLED ACTION IS ELIGIBLE FOR MEDIATION, PURSUANT TO THE CIVIL JUSTICE EXPENSE AND DELAY REDUCTION PLAN. THIS ACTION IS ELIGIBLE FOR MEDIATION SUBJECT TO THE LIMITATIONS AND RESTRICTIONS AS NOTED: ALL ISSUES ARE ELIGIBLE. (SIGNED BY JUDGE RICHARD M. BERMAN ON 8/1/06) (DJC, ) (ENTERED: 08/04/2006)



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117                      07/25/2006                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLT DATED 7/25/06 RE: LETS HOLD THE CONFERENCE AS SCHEDULED ON 7/31/06. (SIGNED BY JUDGE RICHARD M. BERMAN ON 7/25/06) (PL, ) (ENTERED: 07/27/2006)

Order Document for Later Delivery

116                      07/21/2006                      ORDER MOTIONS DUE BY 7/31/2006. RESPONSES DUE BY 8/14/2006. (SIGNED BY JUDGE HENRY B. PITMAN ON 7/21/2006) (JMI, ) (ENTERED: 07/24/2006)

Order Document for Later Delivery

115                      07/13/2006                      STIPULATION AND ORDER THAT THE TIME FOR PLAINTIFFS TO RESPOND TO SO MUCH OF THE MAY 26 ORDER THAT COMPELLED PLAINTIFFS TO "IDENTIFY BY BATES NUMBER WHICH DOCUMENTS ARE RESPONSIVE TO EACH OF THE OUTSIDE DIRECTORS' DOCUMENT REQUESTS, OR DISCLOSE THE SOURCE AND ORGANIZATION OF THE DOCUMENTS PRODUCED" (ORDER, DATED 5/26/06, AT 15) IS HEREBY EXTENDED TO AND INCLUDING 7/17/06 WIHTOUT PREJUDICE TO THE RIGHT OF PLAINTIFFS TO SEEK A FURTHER EXTENSION OF TIME AND WITHOUT PREJUDICE TO THE RIGHT OF ANY DFT TO OPPOSE SUCH APPLICATION FOR EXTENSION OF TIME. (SIGNED BY JUDGE HENRY B. PITMAN ON 7/11/06) (DLE, ) (ENTERED: 07/14/2006)

Order Document for Later Delivery

114                      07/10/2006                      MEMORANDUM OF LAW IN SUPPORT RE: 113 MOTION TO COMPEL.. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DLE, ) (ENTERED: 07/12/2006)

Order Document for Later Delivery

113                      07/10/2006                      MOTION FOR AN ORDER COMPELLING THE PRODUCTION OF DOCUMENTS. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DLE, ) (ENTERED: 07/12/2006)

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112                      07/10/2006                      CERTIFICATE OF SERVICE OF MOTION AND SUPPORTING DOCUMENTS SERVED ON HAROLD RUVOLDT, ESQ. ON 6/7/06 AND

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REPLY DECLARATION ON 6/10/06. SERVICE WAS MADE BY MAIL/REPLY DECLARATION AND EXHIBITS A AND B BY FEDEX. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DLE, ) (ENTERED: 07/12/2006)

Order Document for Later Delivery

109                      06/30/2006                      ORDER THAT PLNTF'S TIME TO COMPLY WITH THE REQUIREMENTS OF PARAGRAPH 5 OF MY ORDER DATED 6/9/06 IS EXTENDED TO 7/31/06. PLNTF IS TO PRODUCE DOCUMENTS IN RESPONSE TO PARAGRAPH 5 ON A ROLLING BASIS AS THEY ARE REVIEWED AND ARE READY FOR PRODUCTION. (SIGNED BY JUDGE HENRY B. PITMAN ON 6/29/06) COPIES SENT BY CHAMBERS(CD, ) (ENTERED: 07/05/2006)

Order Document for Later Delivery

108                      06/21/2006                      DECLARATION OF CHRISTOPHER B. TURCOTTE. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (DJC, ) (ENTERED: 06/22/2006)

Order Document for Later Delivery

107                      06/21/2006                      MEMORANDUM OF LAW IN OPPOSITION TO OUTSIDE DIRECTOR DEFENDANTS' MOTION TO COMPEL PRODUCTION OF DOCUMENT DESIGNATED PRIVILEGED. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (DJC, ) (ENTERED: 06/22/2006)

Order Document for Later Delivery

106                      06/20/2006                      STIPULATION AND ORDER OF NON-WAIVER AGREEMENT; PLAINTIFFS AND THE DEFENDANTS STIPULATE TO THE FOLLOWING AGREEMENT WITH RESPECT TO ALL DOCUMENTS REFERENCED ON THE SCHEDULE A ATTACHED HERETO...; (SIGNED BY JUDGE HENRY B. PITMAN ON 6/16/06) (DJC, ) (ENTERED: 06/21/2006)

Order Document for Later Delivery

105                      06/19/2006                      ORDER; RESOLUTION OF DISCOVERY DISPUTES AS SET FORTH IN THIS ORDER...; (SIGNED BY JUDGE HENRY B. PITMAN ON 6/9/06) (DJC, ) (ENTERED: 06/20/2006)

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104                      06/01/2006                      MEMORANDUM OPINION & ORDER # 93487, ACCORDINGLY, WITHIN TEN (10) BUSINESS DAYS OF THE DATE OF THIS ORDER, PLAINTIFF IS DIRECTED TO IDENTIFY BY BATES NUMBER, OR OTHER SIMILAS METHOD, THE DOCUMENTS IT WILL OR HAS SUBMITTED TO ITS DAMGES EXPERT. IN ALL OTHER RESPECTS, THE OUTSIDE DIRECTOR'S APPLICATION TO COMPEL FURTHER DISCLOSURE PURSUANT TO RULE 26 (A)(1) CONCERNING PALINTIFF'S CLAIMED DAMAGES IS DENIED. SINCE PLAINTIFF HAS COMMITTED TO PROVIDING ITS DAMAGES SOLELY THROUGH EXPERT TESTIMONY, APART FROM OFFERING TESTIMONY NECESSARY TO AUTHENTICATE DOCUMENTS ON WHICH ITS EXPERT RELIES, PLAINTIFF IS PRECLUDED FROM PROVING DAMAGES TROUGH NON-EXPERT TESTIMONY. (SIGNED BY JUDGE HENRY B. PITMAN ON 5/26/2006) (JMI, ) (ENTERED: 06/02/2006)

Order Document for Later Delivery

103                      05/10/2006                      MEMORANDUM OPINION AND ORDER # 93107: FOR REASONS FURTHER SET FORTH, THE OUTSIDE DIRECTORS' APPLICATION TO COMPEL PRODUCTION OF THE CG DOCUMENT IS DENIED IN ALL RESPECTS. (SIGNED BY JUDGE HENRY B. PITMAN ON 5/8/06) COPIES MAILED BY CHAMBERS.(DB, ) (ENTERED: 05/11/2006)

Order Document for Later Delivery

102                      05/04/2006                      STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN PLAINTIFFS AND PWC THAT PLAINTIFFS WILL COMPLY WITH PARAGRAPHS 2 THROUGH 4 OF MAGISTRATE JUDGE PITMAN'S ORDER DATED MARCH 29, 2006 ON OR BEFORE MAY 5, 2006. (SIGNED BY JUDGE HENRY B. PITMAN ON 5/7/06) (JS, ) (ENTERED: 05/04/2006)

Order Document for Later Delivery

101                      04/20/2006                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS J. LIMAN DATED 4/20/06 RE: PLEASE TAKE UP THESE ISSUES WITH JUDGE PITMAN. (SIGNED BY JUDGE RICHARD M. BERMAN ON 4/20/06) (PL, ) (ENTERED: 04/21/2006)

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100                      04/17/2006                      STIPULATION AND ORDER REGARDING PROCEDURES TO BE FOLLOWED THAT SHALL GOVERN THE HANDLING OF &QUOT;CONFIDENTIAL MATERIALS&QUOT;. (SIGNED BY JUDGE HENRY B. PITMAN ON 4/17/06) (JCO, ) (ENTERED: 04/17/2006)

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99                      04/05/2006                      ORDER: PLAINTIFFS ARE DIRECTED TO PRODUCE TO THE OUTSIDE DIRECTORS, MR. DORE AND MS. VIOLETTA COPIES OF ALL DOCUMENTS WITHHELD ON BY PLAINTIFF ON THE GROUND OF PRIVILEGE TO WHICH WERE WRITTEN TO, SENT TO OR WERE OTHERWISE SEEN BY THE OUTSIDE DIRECTORS, MR. DORE AND MS. VIOLETTA. NO LATER THAN 4/21/06, PLAINTIFFS ARE DIRECTED TO IDENTIFY BY PRODUCTION NUMBERS, OR OTHER REASONABLE MEANS, THE DOCUMENTS RESPONSIVE TO PRICEWATERHOUSE COOPERS LLP'S DOCUMENT REQUESTS. ALL OTHER PROCEDURES ARE AS FURTHER SET FORTH IN SAID ORDER. (SIGNED BY JUDGE HENRY B. PITMAN ON 3/29/06) COPIES MAILED BY CHAMBERS.(DB, ) (ENTERED: 04/05/2006)

Order Document for Later Delivery

98                      03/23/2006                      AFFIDAVIT OF SERVICE OF 3/21/06 LETTER SERVED ON ALL COUNSEL AND MAGISTRATE JUDGE HENRY B. PITMAN ON 3/21/06. SERVICE WAS ACCEPTED BY BY HAND. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (DB, ) (ENTERED: 03/23/2006)

Order Document for Later Delivery

97                      02/17/2006                      CONFIDENTIALITY STIPULATED PROTECTIVE ORDER: REGARDING PROCEDURES TO BE FOLLOWED THAT SHALL GOVERN THE HANDLING OF CONFIDENTIAL MATERIAL. (SIGNED BY JUDGE HENRY B. PITMAN ON 2/16/2006) (JML, ) (ENTERED: 02/21/2006)

Order Document for Later Delivery

96                      02/15/2006                      STIPULATED PROTECTIVE ORDER...REGARDING PROCEDURES TO BE FOLLOWED THAT SHALL GOVERN THE HANDLING OF CONFIDENTIAL MATERIAL..... (SIGNED BY MAGISTRATE JUDGE HENRY B. PITMAN ON 2/2/2006) (LB, ) (ENTERED: 02/15/2006)

Order Document for Later Delivery

95                      01/27/2006                      ANSWER TO AMENDED COMPLAINT. DOCUMENT FILED BY EDWIN W. ELDER. RELATED DOCUMENT: 62 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC.,(DLE, ) (ENTERED: 01/30/2006)

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94                      01/27/2006                      ANSWER TO AMENDED COMPLAINT. DOCUMENT FILED BY

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MARTIN L. SOLOMON. RELATED DOCUMENT: 62 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC.,(DLE, ) (ENTERED: 01/30/2006)

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93 01/27/2006 ANSWER TO AMENDED COMPLAINT. DOCUMENT FILED BY WILMER J. THOMAS, JR. RELATED DOCUMENT: 62 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC.,(DLE, ) (ENTERED: 01/30/2006)

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92 01/27/2006 ANSWER TO AMENDED COMPLAINT. DOCUMENT FILED BY WILLIAM J. BARRETT. RELATED DOCUMENT: 62 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC.,(DLE, ) (ENTERED: 01/30/2006)

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91 01/23/2006 STIPULATION AND ORDER THAT THE ATTORNEYS FOR THE RESPECTIVE PARTIES HERETO, THAT MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, AND WILMER J. THOMAS JR. (&QUOT;OUTSIDE DIRECTOR DEFENDATS&QUOT;) SHALL HAVE UNTIL JANUARY 26,2006 TO SERVE THEIR RESPECTIVE ANSWERS AND COUNTERCLAIMS TO PLAINTIFF'S THIRD AMENDED COMPLAINT. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/23/2006) (JMI, ) MODIFIED ON 1/23/2006 (JMI, ). (ENTERED: 01/23/2006)

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90 01/20/2006 ANSWER TO AMENDED COMPLAINT. DOCUMENT FILED BY KARLA VIOLETTA. INC.,(DLE, ) (ENTERED: 01/23/2006)

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89 12/23/2005 STIPULATED PROTECTIVE ORDER...REGARDING PROCEDURES TO BE FOLLOWED THAT SHALL GOVERN THE HANDLING OF CONFIDENTIAL MATERIAL.... (SIGNED BY JUDGE HENRY B. PITMAN ON 12/15/2005) (JMI, ) (ENTERED: 12/27/2005)

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88 12/21/2005 CASE MANAGEMENT PLAN: JOINDER OF PARTIES DUE BY 1/30/2006. DISCOVERY DUE BY 1/31/2006. SETTLEMENT CONFERENCE IS SET FOR 7/31/2006 AT 10:00 AM. REFER ALL

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DISCOVERY TO MAG. JUDGE PITMAN. (SIGNED BY JUDGE RICHARD M. BERMAN ON 12/19/05) (KCO, ) (ENTERED: 12/21/2005)

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87                      12/20/2005                      STIPULATION EXTENDING TIME AND ORDER: PRICEWATERHOUSECOOPERS LLP, MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR., AND KARLA VIOLETTO SHALL HAVE UNTIL 1/19/2006 TO SERVE THEIR RESPECTIVE ANSWERS TO PLAINTIFF'S THIRD AMENDED COMPLAINT. (SIGNED BY JUDGE RICHARD M. BERMAN ON 12/19/2005) (LB, ) (ENTERED: 12/20/2005)

Order Document for Later Delivery

86                      12/12/2005                      MEMO ENDORSEMENT: THE APPLICATION FOR A DISCOVERY CONFERENCE CONTAINED IN LETTER OF PLAINTIFF'S COUNSEL DATED NOVEMBER 23,2005 IS DENIED WITHOUT PREJUDICE TO RENEWAL. COUNSEL FOR ALL PARTIES ARE DIRECTED TO CONFER IN THE FIRST INSTANCE AND ATTEMPT TO RESOLVE ANY DISGREEMENTS THEY MAY HAVE. IF COUNSEL ARE UNABLE TO AGREE ON WHATEVER THOSE ISSUES. THE REQUEST IN COUNSEL'S NOVEMBER 23, NEITHER ADVISES DEFENDENTS OR MYSELF OF THE SPECIFIC ISSUES THAT REQUIRE RESOLUTION. SO ORDERED. (SIGNED BY JUDGE HENRY B. PITMAN ON 11/28/2005) (JMI, ) (ENTERED: 12/13/2005)

Order Document for Later Delivery

85                      11/30/2005                      DECISION AND ORDER GRANTING IN PART AND DENYING IN PART 67 MOTION TO DISMISS . THE CLAIMS ASSERTED BY PLAINTIFFS AMERICAN SERVICE INSURANCE COMPANY, LINCOLN INSURENCE COMPANY, AND UNIVERSAL CASUALTY COMPANY ARE DISMISSED WITH PREJUDICE. DORE'S MOTION TO DISMISS IS DENIED AND PLAINTIFFS' CLAIMS AGAINST DORE SURVIVE. COUNSEL ARE REQUEST TO APPEAR AT A STATUS/SCHEDULING/SETTLEMENT CONFERENCE WITH THE COURT ON DECEMBER 19,2005, AT 3:00 P.M., IN COURTROOM 706 OF THE THURGOOD MARSHALL COURTHOUSE, 40 CENTRE STREET, NEW YORK, NEW YORK. THE COURT DIRECTS THE PARTIES TO ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS PRIOR TO THE CONFERENCE WITH THE COURT. (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/29/2005) (JMI, ) MODIFIED ON 11/30/2005 (JMI, ). (ENTERED: 11/30/2005)

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84                      11/28/2005                      ORDER; DENYING 60 MOTION FOR RECONSIDERATION GRANTING VIOLETTO'S 80 MOTION FOR RECONSIDERATION OF

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THE ORDER DATED MARCH 29, 2005 BUT DENIES HER REQUEST TO CONVERT HER MOTION TO DISMISS TO A MOTION FOR SUMMARY JUDGMENT; (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/23/05) (DJC, ) (ENTERED: 11/29/2005)

Order Document for Later Delivery

83 11/22/2005 AFFIDAVIT OF SERVICE OF PLAINTIFFS' MEMORANDUM IN OPPOSITION AS TO DEFENDANT KARLA VIOLETTA'S MOTION TO RECONSIDER BY MAIL ON 11/22/05. (SAC, ) (ENTERED: 11/23/2005)

Order Document for Later Delivery

82 11/22/2005 MEMORANDUM OF LAW IN OPPOSITION RE: 80 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. (DB, ) (ENTERED: 11/23/2005)

Order Document for Later Delivery

81 11/22/2005 MEMORANDUM OF LAW IN SUPPORT RE: 80 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION.. DOCUMENT FILED BY KARLA VIOLETTA. (DJC, ) (ENTERED: 11/23/2005)

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80 11/21/2005 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION OF HER MOTION TO DISMISS. DOCUMENT FILED BY KARLA VIOLETTA. (DJC, ) (ENTERED: 11/23/2005)

Order Document for Later Delivery

79 11/14/2005 ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT, JR. DATED 10/28/2005 RE: TO REQUEST A PRE-MOTION CONFERENCE BY LETTER PRIOR TO MAKING ANY SUCH MOTION.ENDORSEMENT: PLAINTIFF AND DEFENDANT SHOULD MEET AND CONFER AND RESOLVE THIS ISSUE WITHOUT COURT INTERVENTION. IF YOU CAN'T I WILL AT A CONFERENCE ON 11/16/2005 AT NOON. (SIGNED BY JUDGE RICHARD M. BERMAN ON 11/12/2005) (JMI, ) (ENTERED: 11/15/2005)

Order Document for Later Delivery

78 10/31/2005 ORDER: THAT BECAUSE IT IS UNSETTLED AT THIS TIME WHETHER PWC WILL REMAIN IN THIS CASE AS A PARTY, THIS ORDER IS WITHOUT PREJUDICE TO PWC'S RIGHT TO SEEK REIMBURSEMENT FOR ATTORNEY'S FEES, COSTS AND EXPENSES



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PURSUANT TO FED. R. CIV. P. 45(C) OR ANY APPLICABLE CONTRACT IN THE EVENT THAT PWC IS DISMISSED FROM THE CASE AS A RESULT OF THE PENDING MOTIONS. I EXPRESS NO OPINION AT THIS TIME CONCERNING WHETHER PWC IS ENTITLED TO SUCH REIMBURSEMENT. THIS ORDER IS ALSO WITHOUT PREJUDICE TO PLAINTIFF'S RIGHT TO SEEK FURTHER DISCOVERY FROM PWC IF PWC REMAINS IN THE CASE AS A PARTY AFTER THE RESOLUTION OF THE PENDING DISPOSITIVE MOTIONS. THE COURT EXPRESSES NO OPINION AT THIS TIME CONCERNING WHAT FURTHER DISCOVERY PLAINTIFF WOULD BE ENTITLED TO IF PWC REMAINS IN THE CASE AS A PARTY AFTER THE RESOLUTION OF THE PENDING DISPOSITIVE MOTIONS. (SIGNED BY JUDGE HENRY B. PITMAN ON 10/27/05) (JS, ) (ENTERED: 10/31/2005)

Order Document for Later Delivery

10/25/2005 CASHIERS OFFICE REMARK ON 77 ORDER ON MOTION TO APPEAR PRO HAC VICE IN THE AMOUNT OF \$25.00, PAID ON 10/24/2005, RECEIPT NUMBER 559333. (JD, ) (ENTERED: 10/25/2005)

Order Document for Later Delivery

10/25/2005 CASHIERS OFFICE REMARK ON 77 ORDER ON MOTION TO APPEAR PRO HAC VICE IN THE AMOUNT OF \$25.00, PAID ON 10/25/2005, RECEIPT NUMBER 559391. (JD, ) (ENTERED: 10/25/2005)

Order Document for Later Delivery

10/25/2005 TRANSMISSION TO ATTORNEY ADMISSIONS CLERK. TRANSMITTED RE: 77 ORDER ON MOTION TO APPEAR PRO HAC VICE, TO THE ATTORNEY ADMISSIONS CLERK FOR UPDATING OF ATTORNEY INFORMATION. (LB, ) (ENTERED: 10/25/2005)

Order Document for Later Delivery

77 10/24/2005 ORDER GRANTING 76 MOTION FOR DANIEL V. MARSALLI TO APPEAR PRO HAC VICE SUBJECT TO PAYMENT OF FEE.. (SIGNED BY JUDGE RICHARD M. BERMAN ON 10/21/2005) (LB, ) (ENTERED: 10/25/2005)

Order Document for Later Delivery

76 10/19/2005 MOTION (FILED ON SERVICE DATE) FOR DANIEL V. MARSALLI TO APPEAR PRO HAC VICE FOR DEFENDANT JOHN A. DORE. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. PROPOSED ORDER ATTACHED AS EXHIBIT C. (DB, ) (ENTERED: 10/20/2005)



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## Order Document for Later Delivery

75                      07/27/2005                      ORDER REFERRING CASE TO MAGISTRATE JUDGE. ORDER THAT CASE BE REFERRED TO THE CLERK OF COURT FOR ASSIGNMENT TO A MAGISTRATE JUDGE FOR GENERAL PRETRIAL (INCLUDES SCHEDULING, DISCOVERY, NON-DISPOSITIVE PRETRIAL MOTIONS, AND SETTLEMENT). REFERRED TO MAGISTRATE JUDGE HENRY B. PITMAN. (SIGNED BY JUDGE RICHARD M. BERMAN ON 7/13/05) (JCO, ) (ENTERED: 07/29/2005)

## Order Document for Later Delivery

74                      07/26/2005                      ORDER. RULE 26(A)(1) DISCLOSURES AND DISCOVERY, OTHER THAN DEPOSITION DISCOVERY, SHALL PROCEED WITH RESPECT TO ALL CLAIMS OTHER THAN THE CLAIMS THAT ARE THE SUBJECT OF PENDING MOTIONS TO DISMISS OR FOR RECONSIDERATION. WITH RESPECT TO CLAIMS THAT ARE THE SUBJECT OF A PENDING DISPOSITIVE MOTION BY SOME, BUT NOT ALL DEFENDANTS, THE PARTIES MAY TAKE NON-DEPOSITION DISCOVERY AND SHALL MAKE RULE 26(A)(1) DISCLOSURE WITH RESPECT TO PLAINTIFF AND THOSE PARTIES WHO WOULD REMAIN SUBJECT TO THE CLAIM NOTWITHSTANDING THE OUTCOME OF THE MOTION; THE DISCOVERY AND DISCLOSURES FROM PLAINTIFF WITH RESPECT TO SUCH CLAIMS SHALL BE LIMITED TO MATTERS RELATING TO THE NON-MOVING DEFENDANTS. COUNSEL ARE DIRECTED TO ADVISE HIS CHAMBERS PROMPTLY WHEN ALL PENDING DISPOSITIVE MOTIONS ARE RESOLVED (SIGNED BY JUDGE HENRY B. PITMAN ON 7/26/05) COPIES MAILED BY CHAMBERS.(YV, ) (ENTERED: 07/29/2005)

## Order Document for Later Delivery

73                      07/20/2005                      DECLARATION OF SCOTT O. REED IN SUPPORT RE: 67 MOTION (FILED ON SERVICE DATE) TO DISMISS THE NEW CLAIMS ADDED TO THE THRID AMENDED COMPLAINT. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (PS, ) (ENTERED: 07/29/2005)

## Order Document for Later Delivery

72                      07/20/2005                      REPLY MEMORANDUM OF LAW IN SUPPORT RE: 67 MOTION (FILED ON SERVICE DATE) TO DISMISS THE NEW CLAIMS ADDED TO THE 3RD AMENDED COMPLAINT. DOCUMENT FILED BY JOHN A. DORE, PRICEWATERHOUSE-COOPERS, LLP, MARTIN L. SOLOMON, EDWIN W. ELDER, KARLA VIOLETTO, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (PS, ) (ENTERED: 07/29/2005)

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Order Document for Later Delivery

71                      07/11/2005                      DECLARATION OF SCOTT REED IN SUPPORT RE: 67 MOTION TO DISMISS.. DOCUMENT FILED BY MARTIN L. SOLOMON, EDWIN W. ELDER ET AL. (CD, ) (ENTERED: 07/12/2005)

Order Document for Later Delivery

70                      06/20/2005                      DECLARATION OF CATHY FLEMING. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (MDE, ) (ENTERED: 06/24/2005)

Order Document for Later Delivery

69                      06/20/2005                      PLAINTIFF'S OPPOSITION TO DEFENDANTS' JOINT MOTION TO DISMISS THE NEW CLAIMS AND PARTIES ADDED BY PLAINTIFF'S THIRD AMENDED COMPLAINT. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (MDE, ) (ENTERED: 06/24/2005)

Order Document for Later Delivery

68                      05/19/2005                      MEMORANDUM OF LAW IN SUPPORT RE: 67 MOTION (FILED ON SERVICE DATE) TO DISMISS.. DOCUMENT FILED BY JOHN A. DORE, PRICEWATERHOUSE-COOPERS, LLP, MARTIN L. SOLOMON, EDWIN W. ELDER, KARLA VIOLETTO, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DLE, ) (ENTERED: 05/23/2005)

Order Document for Later Delivery

67                      05/19/2005                      MOTION (FILED ON SERVICE DATE) FOR AN ORDER DISMISSING THE NEW CLAIMS ADDED TO THE THIRD AMENDED COMPLAINT BY PLAINTIFFS AMERICAN SERVICE INSURANCE COMPANY, LINCOLN INSURANCE COMPANY, UNIVERSAL CASUALTY COMPANY AND AMERICAN COUNTRY HOLDINGS INC. WITH PREJUDICE FOR FAILURE TO STATE A CLAIM PURS. TO FRCP 12 (B)(6). DOCUMENT FILED BY JOHN A. DORE, PRICEWATERHOUSE-COOPERS, LLP, MARTIN L. SOLOMON, EDWIN W. ELDER, KARLA VIOLETTO, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. (DLE, ) (ENTERED: 05/23/2005)

Order Document for Later Delivery

66                      05/19/2005                      DECLARATION OF SCOTT O. REED IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. DOCUMENT FILED BY JOHN A. DORE. (DLE, ) (ENTERED: 05/20/2005)

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Order Document for Later Delivery

65                    05/19/2005            MEMORANDUM OF LAW IN OPPOSITION RE: 60 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION RE; 58 ORDER,... DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (DLE, ) (ENTERED: 05/20/2005)

Order Document for Later Delivery

64                    05/13/2005            ENDORSED LETTER ADDRESSED TO JUDGE BERMAN FROM HAROLD RUVOLDT DATED 5/13/05: RE RESPONSE TO DEFT MOTION FOR RECONSIDERATION OF ITS MOTION TO DISMISS: SHORT RESPONSE FROM PLNTF BY 5/19/05. (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/13/05) (CD, ) (ENTERED: 05/16/2005)

Order Document for Later Delivery

63                    05/05/2005            REPLY MEMORANDUM OF LAW IN SUPPORT RE: 60 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION RE; 58 ORDER. DOCUMENT FILED BY KARLA VIOLETTO. (KW, ) (ENTERED: 05/09/2005)

Order Document for Later Delivery

62                    04/28/2005            THIRD AMENDED COMPLAINT AMENDING 32 AMENDED COMPLAINT, AGAINST PRICEWATERHOUSE-COOPERS, LLP, MARTIN L. SOLOMON, JOHN A. DORE, EDWIN W. ELDER, KARLA VIOLETTO, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC. RELATED DOCUMENT: 32 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC.(JCO, ) MODIFIED ON 1/6/2006 (MJ, ). (ENTERED: 05/03/2005)

Order Document for Later Delivery

61                    04/18/2005            MEMORANDUM OF LAW IN SUPPORT RE: 60 MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION RE; 58 ORDER DENYING IN PART THE DISMISSAL OF THE SECOND AMENDED COMPLAINT. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (PS, ) (ENTERED: 04/26/2005)

Order Document for Later Delivery

60                    04/14/2005            MOTION (FILED ON SERVICE DATE) FOR RECONSIDERATION RE; 58 ORDER DENYING IN PART THE DISMISSAL OF THE SECOND AMENDED COMPLAINT. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP. (PS, ) (ENTERED: 04/26/2005)

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Order Document for Later Delivery

59                      04/01/2005                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT, JR. ESQ. DATED 3/31/05 RE: DFTS TO RESPOND WITH 2-3 PP LETTER BY 4/7/05. (SIGNED BY JUDGE RICHARD M. BERMAN ON 4/1/05) (PL, ) (ENTERED: 04/06/2005)

Order Document for Later Delivery

58                      03/29/2005                      ORDER; DEFENDANTS' JOINT MOTION TO DISMISS 39 IS GRANTED IN PART AND DENIED IN PART. THE EMPLOYMENT CONTRACT CLAIM IS DISMISSED WITH PREJUDICE UNLESS ACHI IS JOINED AS A NAMED PLAINTIFF WITHIN 20 DAYS OF THE ENTRY OF THIS ORDER. THE COURT ALSO DISMISSES WITH PREJUDICE THE 14(E), NEGLIGENCE AND NEGLIGENT MIREPRESENTATION CLAIMS AGAINST ALL DEFENDANTS; AND IT DISMISSES ALL CLAIMS AGAINST MH AND SILVER. THE COURT DENIES THE MOTION TO DISMISS AS TO ALL REMAINING CLAIMS. COUNSEL ARE REQUESTED TO APPEAR AT A STATUS/SCHEDULING/SETTLEMENT CONFERENCE WITH THE COURT ON 4/22/05 AT 11:00 A.M., IN COURTROOM 706. (SIGNED BY JUDGE RICHARD M. BERMAN ON 3/29/05) (SAC, ) (ENTERED: 04/01/2005)

Order Document for Later Delivery

57                      03/25/2005                      TRANSCRIPT OF PROCEEDINGS HELD ON 03/15/05 BEFORE JUDGE RICHARD M. BERMAN. (ES, ) (ENTERED: 03/25/2005)

Order Document for Later Delivery

56                      02/07/2005                      NOTICE OF CHANGE OF ADDRESS OF SACHNOFF & WEAVER. DOCUMENT FILED BY ROBERT SILVER. (PL, ) (ENTERED: 02/16/2005)

Order Document for Later Delivery

55                      01/07/2005                      NOTICE OF CHANGE OF ADDRESS BY LEWIS J. LIMAN ON BEHALF OF MARTIN L. SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J. THOMAS, JR. NEW ADDRESS: CLEARY GOTTlieb STEEN & HAMILTON LLP., (JMI, ) (ENTERED: 01/12/2005)

Order Document for Later Delivery

54                      12/15/2004                      RULE 7.1 DISCLOSURE STATEMENT. DOCUMENT FILED BY PRICEWATERHOUSE-COOPERS, LLP.(JCO, ) (ENTERED: 12/20/2004)

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53                    09/30/2004            DECLARATION OF BRADLEY T. MEISSNER. DOCUMENT FILED BY WILLIAM J. BARRETT, EDWIN W. ELDER, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, KARLA VIOLETTA. (JMI, ) (ENTERED: 10/05/2004)

Order Document for Later Delivery

52                    09/30/2004            REPLY MEMORANDUM OF LAW IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN A. DORE, EDWIN W. ELDER, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (JMI, ) (ENTERED: 10/05/2004)

Order Document for Later Delivery

09/21/2004            SET/RESET DEADLINES AS TO 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. REPLIES DUE BY 9/30/2004. (DLE, ) (ENTERED: 09/22/2004)

Order Document for Later Delivery

51                    09/21/2004            ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM JOHN FELLAS DATED 9/15/04 RE: COUNSEL FOR DFTS REQUEST A ONE WEEK EXTENSION OF THE BRIEFING SCHEDULE ALLOWING DFTS TO FILE THEIR REPLY BRIEF ON 9/30/04. APPLICATION GRANTED. (SIGNED BY JUDGE RICHARD M. BERMAN ON 9/16/04) (DLE, ) (ENTERED: 09/22/2004)

Order Document for Later Delivery

50                    08/09/2004            MEMORANDUM OF LAW IN OPPOSITION RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (PA, ) (ENTERED: 08/10/2004)

Order Document for Later Delivery

49                    08/09/2004            DECLARATION OF HAROLD J. RUVOLDT IN OPPOSITION RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (PA, ) (ENTERED: 08/10/2004)

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07/16/2004 SET/RESET DEADLINES AS TO 39 MOTION (FILED ON SERVICE DATE) TO DISMISS.. RESPONSES DUE BY 8/9/2004 REPLIES DUE BY 9/23/2004. (DB, ) (ENTERED: 07/21/2004)

Order Document for Later Delivery

48 07/16/2004 ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT DATED 7/15/04 RE: COUNSEL FOR PLAINTIFF REQUESTS THAT THEIR OPPOSITION TO DEFENDANTS JOINT MOTION TO DISMISS BE EXTENDED TO 8/9/04; AND THAT DEFENDANTS REPLY BE EXTENDED TO 9/23/04. APPLICATION GRANTED. (SIGNED BY JUDGE RICHARD M. BERMAN ON 7/16/04) (DB, ) (ENTERED: 07/21/2004)

Order Document for Later Delivery

47 06/07/2004 NOTICE OF APPEARANCE BY JENNIFER YULE DEPRIEST ON BEHALF OF ROBERT SILVER. (TP, ) (ENTERED: 06/07/2004)

Order Document for Later Delivery

46 06/07/2004 NOTICE OF APPEARANCE BY SARAH R. WOLFF ON BEHALF OF ROBERT SILVER. (TP, ) (ENTERED: 06/07/2004)

Order Document for Later Delivery

06/04/2004 CASHIERS OFFICE REMARK ON 45 ORDER ADMITTING ATTORNEY PRO HAC VICE IN THE AMOUNT OF \$50.00, PAID ON 6/4/04, RECEIPT NUMBER 510492. (TP, ) (ENTERED: 06/07/2004)

Order Document for Later Delivery

05/25/2004 TRANSMISSION TO ATTORNEY ADMISSIONS CLERK. TRANSMITTED RE: 45 ORDER ADMITTING ATTORNEY PRO HAC VICE, TO THE ATTORNEY ADMISSIONS CLERK FOR UPDATING OF ATTORNEY INFORMATION. (JCO, ) (ENTERED: 05/27/2004)

Order Document for Later Delivery

45 05/25/2004 ORDER ADMITTING ATTORNEY PRO HAC VICE THAT SARAH R. WOLFF AND JENNIFER YULE DEPRIEST ARE ADMITTED PRO HAC VICE. SUBJECT TO PAYMENT OF FEE TO CLERK. (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/25/04) (JCO, ) (ENTERED: 05/27/2004)

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Order Document for Later Delivery

05/25/2004 CASHIERS OFFICE REMARK ON 36 ORDER ON MOTION TO APPEAR PRO HAC VICE IN THE AMOUNT OF \$75.00, PAID ON 5/25/04, RECEIPT NUMBER 508968. (GF, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

44 05/24/2004 DECLARATION OF MELISSA R. CHERNOFSKY IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

43 05/24/2004 DECLARATION OF BRETT A. SCHER IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

42 05/24/2004 MEMORANDUM OF LAW IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

41 05/24/2004 DECLARATION OF WESLEY KELMAN IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, )



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(ENTERED: 05/25/2004)

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40                      05/24/2004                      DECLARATION OF JOSEPH PATRICE IN SUPPORT RE: 39 MOTION (FILED ON SERVICE DATE) TO DISMISS. DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

39                      05/24/2004                      MOTION (FILED ON SERVICE DATE) TO DISMISS PLAINTIFF'S CLAIMS WITH PREJUDICE FOR FAILURE TO STATE A CLAIM PURSUANT TO FRCP 12(B)(6), FAILURE TO PLEAD FRAUD WITH PARTICULARITY PURSUANT TO FRCP 9(B) AND THE PRIVATE SECURITIES LITIGATION REFORM ACT 15 USC 78U-4(B)(1) AND (2), FAILURE TO MAKE A SHORT AND PLAIN STATEMENT OF THE CLAIM UNDER FRCP 8(A) AND FAILURE TO JOIN A NECESSARY PARTY PURSUANT TO FRCP 12(B)(7). DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN DOES, JOHN A. DORE, EDWIN W. ELDER, PETER H. FOLEY, HERBERT M. GARDNER, PATRICK LYNCH, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTA. (PS, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

38                      05/24/2004                      MOTION (FILED ON SERVICE DATE) FOR SARAH R. WOLFF TO APPEAR PRO HAC VICE. DOCUMENT FILED BY ROBERT SILVER. (JMI, ) (ENTERED: 05/25/2004)

Order Document for Later Delivery

37                      05/21/2004                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM JOHN FELLAS DATED 5/19/04 RE: DEFENDANTS' REQUEST TO SUBMIT A JOINT BRIEF NOT TO EXCEED 125 PAGES. APPLICATION DENIED - SEE COURT'S RULES. STRIVE FOR QUALITY & NOT BULK. (25PP, DOUBLE SPACED, REGULAR MARGINS, 12' FONT). (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/20/04) (SAC, ) (ENTERED: 05/24/2004)

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36 05/18/2004 ORDER GRANTING 34 MOTION FOR SCOTT O. REED, KAREN A. REARDON, AND ERIC J. MARLER TO APPEAR PRO HAC VICE. SUBMIT PAYMENT OF FEE TO THE CLERK.. (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/17/2004) (JSA, ) (ENTERED: 05/20/2004)

Order Document for Later Delivery

35 05/18/2004 STIPULATION AND ORDER SUBSTITUTING REARDON, GOLINLKIN AND REED IN PLACE OF CLEARY, GOTTLIEB, STEEN AND HAMILTON AS COUNSEL TO DEFENDANT JOHN A. DORE. (SIGNED BY JUDGE RICHARD M. BERMAN ON 5/17/2004) (JSA, ) (ENTERED: 05/18/2004)

Order Document for Later Delivery

34 05/03/2004 NOTICE OF MOTION (FILED ON SERVICE DATE) FOR SCOTT O. REED, KAREN A. READON AND ERIC J. MARLER TO APPEAR PRO HAC VICE.(NITE DEP. BOX) DOCUMENT FILED BY WILLIAM J. BARRETT, JOHN A. DORE, EDWIN W. ELDER, MARTIN L. SOLOMON, WILMER J. THOMAS JR.. (PA, ) (ENTERED: 05/14/2004)

Order Document for Later Delivery

33 04/28/2004 ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT, JR. DATED 4/21/04 RE: PLAINTIFF REQUEST A MOTION CONFERENCE AND/OR PERMISSION TO MOVE TO PRECLUDE THE DFT, JOHN DORE FROM MOVING TO DISMISS; I'VE NEVER HEARD OF SUCH A MOTION - SO I DON'T THINK EITHER A CONFERENCE OR A MOTION IS CALLED FOR. (SIGNED BY JUDGE RICHARD M. BERMAN ON 4/27/04) (PL, ) (ENTERED: 04/29/2004)

Order Document for Later Delivery

03/05/2004 SET ANSWER DUE DATE RE: 32 AMENDED COMPLAINT, AS TO WILLIAM J. BARRETT ANSWER DUE ON 3/15/2004; JOHN A. DORE ANSWER DUE ON 3/15/2004; EDWIN W. ELDER ANSWER DUE ON 3/15/2004; MILLER, HERBERS, LEHMAN & ASSOCIATES, INC. ANSWER DUE ON 3/15/2004; PRICEWATERHOUSE-COOPERS, LLP ANSWER DUE ON 3/15/2004; ROBERT SILVER ANSWER DUE ON 3/15/2004; MARTIN L. SOLOMON ANSWER DUE ON 3/15/2004; WILMER J. THOMAS JR. ANSWER DUE ON 3/15/2004; KARLA VIOLETTA ANSWER DUE ON 3/15/2004. (DJC, ) (ENTERED: 03/10/2004)

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- 32                      03/05/2004                      SECOND AMENDED COMPLAINT AMENDING 26 AMENDED COMPLAINT, AGAINST WILLIAM J. BARRETT, JOHN A. DORE, EDWIN W. ELDER, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L. SOLOMON, WILMER J. THOMAS JR., KARLA VIOLETTO. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. RELATED DOCUMENT: 26 AMENDED COMPLAINT, FILED BY KINGSWAY FINANCIAL SERVICES, INC..(DJC, ) (ENTERED: 03/10/2004)
- Order Document for Later Delivery
- 31                      02/04/2004                      AFFIDAVIT OF SERVICE OF SUMMONS AND AMENDED COMPLAINT, AS TO KARLA VIOLETTO SERVED ON 1/21/2004, ANSWER DUE 2/10/2004. BY CERTIFIED MAIL. DOCUMENT FILED BY KINGSWAY FINANCIAL SERVICES, INC.. (CD, ) (ENTERED: 02/06/2004)
- Order Document for Later Delivery
- 01/30/2004                      SET DEADLINES/HEARINGS: AMENDED PLEADINGS DUE BY 3/5/2004. (DB, ) (ENTERED: 02/05/2004)
- Order Document for Later Delivery
- 30                      01/30/2004                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT DATED 1/29/04 RE: COUNSEL FOR PLAINTIFF KINGSWAY REQUEST AN EXTENSION OF TIME TO FILE THEIR AMENDED COMPLAINT. APPLICATION GRANTED. EXTENSION TO 3/5/04 GRANTED. LETS HAVE PHONE CONFERENCE (ARRANGED BY COUNSEL) ON 3/12/04 AT 2:30 P.M. TO SET MOTION SCHEDULE. PLEASE CONFIRM WITH CHRISTINE MURRAY OR EMILY HAYES. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/30/04) (DB, ) (ENTERED: 02/05/2004)
- Order Document for Later Delivery
- 29                      01/22/2004                      ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM JOHN FELLAS DATED 1/16/04 RE: WE UNDERSTAND THAT YOUR HONOR HAS REQUESTED JOINT BRIEFING OF ANY MOTION TO DISMISS BY THE DEFENDANTS. WE RESPECTFULLY REQUEST THAT YOUR HONOR CONSIDER ALLOWING PWC TO BRIEF SEPERATELY. DENIED. LETS STICK TO THE JOINT BRIEFING. I'VE EXPERIENCED IT SO MANY TIMES THAT I KNOW IT ACTUALLY IMPROVES THE BRIEF RATHER THAN DICTATES. THE END RESULT IS MUCH STRONGER. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/21/04) COPIES MAILED BY CHAMBERS.(DFE, ) (ENTERED: 01/30/2004)

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28                    01/15/2004            ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM EDWARD J. BOYLE DATED 1/13/04 RE: REQUESTING PERMISSION TO SUBMIT A SUPPLEMENTAL BRIEF TO ADDRESS THE POTENTIAL ADDITIONAL GROUNDS FOR DISMISSAL AGAINST OUR CLIENT...WE'LL DISCUSS AT CONFERENCE, COURT SHOULD BE ABLE TO GET ALL CLAIMS IN A JOINT SUBMISSION. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/15/04) (DFE, ) (ENTERED: 01/27/2004)

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27                    01/15/2004            ENDORSED LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM HAROLD J. RUVOLDT DATED 1/13/04 RE: WE HAVE MADE NUMEROUS ATTEMPTS TO SERVE MS. VIOLETTO ST HER HOME WITH THE SUMMONS AND COMPLAINT. MS. VIOLETTO CONTINUES TO DELIBERATELY AVOID SERVICE OF PROCESS. IN LIGHT OF THIS, WE SEEK LEAVE MOVE THE COURT TO PERMIT SERVICE UPON MS. VIOLETTO PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 4(E)(1) AND NEW YORK CPLR 308, WHICH PROVIDES THAT THIS COURT MAY ALLOW SERVICE &quot;IN SUCH MANNER AS THE COURT, UPON MOTION WITHOUT NOTICE, DIRECTS, IF SERVICE IS IMPRACTICABLE&quot; CPLR 308(5). UNDER THE TERMS OF SECTION 308, WE WOULD REQUEST THAT THIS COURT PERMIT SERVICE BY FIRST CLASS MAIL TO MS. VIOLETTO'S LAST KNOWN RESIDENCE. GRANTED. USE MAIL (CERTIFIED) & NAIL, TO EFFECT SERVICE. (SIGNED BY JUDGE RICHARD M. BERMAN ON 1/14/04) (DFE, ) (ENTERED: 01/26/2004)

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12/11/2003            SET ANSWER DUE DATE RE: 26 AMENDED COMPLAINT, AS TO WILLIAM J. BARRETT ANSWER DUE ON 12/22/2003; JOHN A. DORE ANSWER DUE ON 12/22/2003; EDWIN W. ELDER ANSWER DUE ON 12/22/2003; MILLER, HERBERS, LEHMAN & ASSOCIATES, INC. ANSWER DUE ON 12/22/2003; PRICEWATERHOUSE-COOPERS, LLP ANSWER DUE ON 12/22/2003; ROBERT SILVER ANSWER DUE ON 12/22/2003; MARTIN L. SOLOMON ANSWER DUE ON 12/22/2003; WILMER J. THOMAS JR. ANSWER DUE ON 12/22/2003; KARLA VIOLETTO ANSWER DUE ON 12/22/2003. (SAC, ) (ENTERED: 12/31/2003)

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26                    12/11/2003            AMENDED COMPLAINT AMENDING 1 COMPLAINT AGAINST KARLA VIOLETTO, WILLIAM J. BARRETT, JOHN A. DORE, EDWIN W. ELDER, MILLER, HERBERS, LEHMAN & ASSOCIATES, INC., PRICEWATERHOUSE-COOPERS, LLP, ROBERT SILVER, MARTIN L.

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SOLOMON, WILMER J. THOMAS JR..DOCUMENT FILED BY  
KINGSWAY FINANCIAL SERVICES, INC. RELATED DOCUMENT: 1  
COMPLAINT.(SAC, ) (ENTERED: 12/31/2003)

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25                    12/03/2003            STIPULATION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
AS AGAINST DEFENDANT PATRICK LYNCH IN THIS MATTER.  
(SIGNED BY JUDGE RICHARD M. BERMAN ON 11/25/03) (TP, )  
(ENTERED: 12/15/2003)

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24                    12/01/2003            STIPULATION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
AS AGAINST DEFENDANT PATRICK LYNCH IN THIS ACTION  
PURSUANT TO RULE 41(A)(1) OF THE F.R.C.P.(SIGNED BY JUDGE  
RICHARD M. BERMAN ON 11/26/03) (DB, ) MODIFIED ON 12/9/2003  
(DB, ). (ENTERED: 12/09/2003)

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23                    11/25/2003            STIPULATION TO DISMISS: THAT PLAINTIFF KINGSWAY  
FINANCIAL SERVICES, INC. WILL DISMISS THIS ACTION AS TO  
DEFENDANT HERBERT M. GARDNER WITHOUT PREJUDICE, WITH  
EACH PARTY BEARING HIS OR ITS OWN COSTS. (SIGNED BY  
JUDGE RICHARD M. BERMAN ON 11/24/03) (DB, ) (ENTERED:  
11/30/2003)

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22                    11/06/2003            TOLLING AGREEMENT; THAT THIS AGREEMENT IS ENTERED  
INTO AS OF 11/5/03, BY AND BETWEEN KINGSWAY FINANCIAL  
SERVICES, IC. AND HERBERT M. GARNER IN THE MANNER THAT  
IS SET FORTH IN THIS TOLLING AGREEMENT; KINGSWAY HAS  
AGREED TO EXECUTE AND DELIVER TO THE COURT FORTHWITH  
A STIPULATION OF DISMISSAL AS AGREED UPON BY THE  
PARTIES, TO VOLUNTARILY DISMISS GARDNER FROM THE  
ACTION WITHOUT PREJUDICE . ( SIGNED BY JUDGE RICHARD M.  
BERMAN ); (PL) (ENTERED: 11/12/2003)

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21                    11/04/2003            CERTIFICATE OF SERVICE OF STIPULATION BY FAX ON 10/29/03  
AS TO LEWIS J. LIMAN, ESQ. (SB) (ENTERED: 11/07/2003)

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20 11/04/2003 STIPULATION AND ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE AS AGAINST DEFENDANT PETER H. FOLEY IN THIS MATTER; ( SIGNED BY JUDGE RICHARD M. BERMAN ) (DJC) (ENTERED: 11/05/2003)

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19 10/31/2003 MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE RICHARD M. BERMAN FROM LEWIS J. LIMAN, DATED 10/28/03; CONFERENCE HAS BEEN RESCHEDULED FOR 11/5/03 AT 9:30 A.M. PLS TO RESPOND WITH 6REF (2-3 PP) LETTER BY 11/4/03. ( SIGNED BY JUDGE RICHARD M. BERMAN ); (SAC) (ENTERED: 11/03/2003)

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18 10/23/2003 AFFIDAVIT OF SERVICE OF SUMMONS AND COMOPLAINT AS TO JOHN A. DORE BY NANCY DORE (WIFE) ON 10/15/03. ANSWER DUE ON 11/4/03 FOR JOHN A. DORE. (TP) (ENTERED: 10/28/2003)

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17 10/10/2003 MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE BERMAN FROM BRETT SCHER, DATED 10/8/03, RE DEFT NOT HAVING TO RESPOND TO THE ORIGINAL COMPLAINT DUE TO THE IMPENDING AMENDED COMPLAINT: SOUNDS REASONABLE. SEE COURT'S RULES RE: PRE-MOTION LETTERS, ETC. ALSO IN MULTI PARTY CASES, THE COURT USUALLY SOLICITS JOINT FILINGS. WE CAN DISCUSS AT CONFERENCE ( SIGNED BY JUDGE RICHARD M. BERMAN ); (CD) (ENTERED: 10/14/2003)

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16 10/08/2003 MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE BERMAN FROM LEWIS J. LIMAN, DATED 10/6/03. RE: DEFENDANTS REQUEST A PRE-MOTION CONFERENCE. LETS HAVE A BRIEF 2-3 PP RESPONSE FROM PL BY 10/14/03. ALSO, ANY DEFENSE MOTION WOULD BE EXPECTED TO BY JOINT (COVER ALL DEFTS IF ALL DEFS ARE MOVING TO DISMISS). WE CAN DISCUSS THIS FURTHER, I.E. JOINT MOTION . ( SIGNED BY JUDGE RICHARD M. BERMAN ); (KW) (ENTERED: 10/14/2003)

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15 10/02/2003 MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE BERMAN FROM JOHN FELLAS, DATED 9/30/03. COUNSEL FOR DEFENDANT REQUEST THAT THE PRELIMINARY CONFERENCE BE ADJOURNED. OCTOBER 31, 2003 AT 9:30 A.M. IN NEW CONFERENCE DATE . ( SIGNED BY JUDGE RICHARD M. BERMAN );

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(YV) (ENTERED: 10/03/2003)

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14                      09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
WILLIAM J. BARRETT BY HIS SON ON 8/11/03 . ANSWER DUE ON  
9/1/03 FOR WILLIAM J. BARRETT . (SB) (ENTERED: 10/01/2003)

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13                      09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
PRICewaterHOUSE BY PATRICE EDMONDS ON 8/4/03 . ANSWER  
DUE ON 8/25/03 FOR PRICewaterHOUSE . (SB) (ENTERED:  
10/01/2003)

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12                      09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
LEHMAN & ASSOCIATES BY JOSEPH HERBERS ON 8/7/03 .  
ANSWER DUE ON 8/27/03 FOR LEHMAN & ASSOCIATES . (SB)  
(ENTERED: 10/01/2003)

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11                      09/29/2003                      RETURN OF SERVICE OF SUMMONS AND COMPLAINT EXECUTED  
AS TO EDWIN W. ELDER BY PERSONAL SERVICE ON 8/7/03 .  
ANSWER DUE ON 8/27/03 FOR EDWIN W. ELDER. (SB) (ENTERED:  
10/01/2003)

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10                      09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
ROBERT SILVER BY PERSONAL SERVICE ON 8/9/03 . ANSWER DUE  
ON 8/29/03 FOR ROBERT SILVER . (SB) (ENTERED: 10/01/2003)

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9                        09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
PETER H. FOLEY BY PERSONAL SERVICE ON 9/4/03. ANSWER DUE  
ON 9/24/03 FOR PETER H. FOLEY. (SB) (ENTERED: 10/01/2003)

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8                        09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
HERBERT M. GARDNER BY PERSONAL SERVICE ON 8/21/03.

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ANSWER DUE ON 9/10/03 FOR HERBERT M. GARDNER. (SB)  
(ENTERED: 10/01/2003)

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7                      09/29/2003                      AFFIDAVIT OF SERVICE OF SUMMONS AND COMPLAINT AS TO  
MARTIN L. SOLOMON BY PERSONAL SERVICE ON 8/5/03. ANSWER  
DUE ON 8/25/03 FOR MARTIN L. SOLOMON. (SB) (ENTERED:  
10/01/2003)

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6                      09/29/2003                      MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE  
RICHARD M. BERMAN FROM JOHN FELLAS, DATED 9/25/03. RE.,  
COUNSEL FOR DFT PRICEWATERHOUSE REQUESTS THAT THE  
COURT RESCHEDULE THE PRELIMINARY CONFERENCE.  
ADJOURNED TO 10/22/03 @ 9:15 . ( SIGNED BY JUDGE RICHARD M.  
BERMAN ); (DLE) (ENTERED: 09/30/2003)

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5                      09/19/2003                      AFFIDAVIT OF SERVICE OF COURT'S 8/1/03 NOTICE AS TO  
PRICEWATERHOUSE, LEHMAN & ASSOCIATES, MARTIN L.  
SOLOMON, EDWIN W. ELDER, WILLIAM J. BARRETT, WILMER J.  
THOMAS JR., PETER H. FOLEY, PATRICK LYNCH, ROBERT SILVER,  
HERBERT M. GARDNER, JOHN A. DORE BY MAIL ON 8/1/03. (JCO)  
(ENTERED: 09/23/2003)

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4                      09/05/2003                      MEMO-ENDORSEMENT ON LETTER ADDRESSED TO JUDGE  
BERMAN FROM HAROLD J. RUVOLDT, DATED 9/4/03. RESET  
PRETRIAL CONFERENCE FOR 9:30 A.M. ON 10/14/03 . ( SIGNED BY  
JUDGE RICHARD M. BERMAN ); (KW) (ENTERED: 09/11/2003)

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3                      08/21/2003                      STIPULATION AND ORDER; THAT DEFENDANT  
PRICEWATERHOUSECOOPERS LLP (&QUOT;PXC&QUOT;) SHALL  
HAVE UNTIL 9/30/03 TO MOVE TO DISMISS THE COMPLAINT.  
PLAINTIFF SHALL HAVE UNTIL 10/31/03 TO SERVE ITS  
OPPOSITION PAPERS, AND PXC SHALL HAVE UNTIL 11/14/03 TO  
SERVE ITS REPLY PAPERS . ( SIGNED BY JUDGE RICHARD M.  
BERMAN ) (JCO) (ENTERED: 08/25/2003)

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2	07/25/2003	RULE 7.1 CERTIFICATE FILED BY KINGSWAY FINANCIAL . (JJM) (ENTERED: 07/30/2003)  Order Document for Later Delivery
	07/25/2003	MAGISTRATE JUDGE HENRY B. PITMAN IS SO DESIGNATED. (JJM) (ENTERED: 07/30/2003)  Order Document for Later Delivery
1	07/25/2003	COMPLAINT FILED. SUMMONS ISSUED AND NOTICE PURSUANT TO <u>28 U.S.C. 636(C)</u> . FILING FEE \$ 150.00 RECEIPT # 480627. (JJM) (ENTERED: 07/30/2003)  Order Document for Later Delivery

TO ORDER COPIES OF ANY DOCUMENTS LISTED ABOVE, CALL WESTLAW COURTEXPRESS 1-877-DOC-RETR (1-877-362-7387) (Additional Charges Apply).

END OF DOCUMENT